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DR. ROBERTSON





THE  
WORKS

OF THE LATE

WILLIAM ROBERTSON, D.D.

PRINCIPAL OF THE UNIVERSITY OF EDINBURGH, &c. &c.

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TO WHICH IS PREFIXED,

AN ACCOUNT OF HIS LIFE AND WRITINGS;

BY THE

REV. R. LYNAM, A. M.

ASSISTANT CHAPLAIN TO THE MAGDALEN; AND LATE CLASSICAL  
MASTER AT CHRIST'S HOSPITAL.

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COMPLETE IN SIX VOLUMES.

WITH ENGRAVINGS, AND PORTRAITS OF DR. ROBERTSON, MARY QUEEN OF SCOTS,  
AND THE EMPEROR CHARLES V.

VOL. I.

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1826.



## LIFE OF DR. ROBERTSON.

If the laws of equity are to be observed in the republic of learning, no man possesses a greater claim than an historian to have his life carefully recorded. He who has devoted his labour and ingenuity to the task of describing the exploits of others, deserves that his own actions should not be forgotten by the many readers whom he has studied to please and enlighten. In the instance, therefore, of the most accomplished of British historians, it would be totally unpardonable to offer any edition of his works to the public, without endeavouring to present at the same time, an accurate relation of the chief incidents of his life, which have been preserved by the respect and affection of his friends.\*

William Robertson, the historian, descended from a respectable Scottish family, was the eldest son of the Rev. W. Robertson, and of Eleanor, the daughter of David Pitcairn, Esq. of Dreghorn. He was born on the 8th of September, 1721, at Borthwick, in the county of Mid-Lothian, at the time his father was minister of that parish. The elements of his learned education were acquired at Dalkeith, under Mr. Leslie, who was at that period, with regard to tuition, considered as the Quintilian of the north. In 1733, when his father was appointed to one of the churches in Edinburgh, young Robertson became an inhabitant of the capital; and in October of the same year was admitted into the bosom of the university. A child, at twelve years of age, becoming a member of a great and learned body, is a phenomenon which at first may create surprise in the minds of Southern readers: their wonder however will be removed, when they call to mind that a Scotch university bears very little resemblance to an English one, and can scarcely vie with some of our public schools.

Of the circumstances of Robertson's youthful days, very little has been remembered. No feats of boyish excellence, no remarks be-

\* The public are primarily indebted to Dugald Stewart, Esq. for the biography of Dr. Robertson. In this gentleman's "Account of the Life and Writings" of the great historian, we have a work written with considerable ability and elegance; but it is by far too diffuse for many readers, and does not seem to be arranged in the most clear and striking method of which it was susceptible. In the present sketch, it has been attempted to give a succinct and connected account of the life of the historiographer, by relating all that is important, and omitting what would serve only to accumulate the volume.

Dr. Gleig, bishop of the Scotch episcopal church, has given a few particulars of our author's life, in addition to Mr. Stewart's account.

tokening an early depth of understanding, and no sallies presaging an unusual brilliancy of imagination, are recorded of him. His abilities seem to have been more solid than ostentatious, and his progress more steady than surprising. His early application might be inferred from the extent of his subsequent labours.

Qui studet optatam cursu contingere metam,  
 Multa tulit fecitque puer, sudavit et alsit,  
 Abstenuit Venere et vino: qui Pythia cantat  
 Tibicen, didicit prius, extimuitque magistrum.\*

If labour must be exerted to attain excellence in arts and bodily accomplishments, much greater toil is requisite to carry off the palm of literary distinction. We are not, however, compelled to guess merely at Robertson's industry. The practice of noting, which has been so much commended by some learned men, that they affirm no one can become an eminent scholar without it,† was early adopted by our author. Some of his common-place books compiled in 1735, 1736, and 1737, are said to be remarkable proofs of a diligent accumulation of knowledge. To each of them are prefixed the significant words, "*Vita sine literis mors est*;" à motto plainly indicative of the ruling ambition of his soul, and of the supreme value which he set upon intellectual enjoyments.

With the view of improving his style, he undertook the exercise of translation; and he was so far satisfied with his proficiency in this accomplishment, as to have serious thoughts of giving a public specimen of his labours in a version of *Marcus Antoninus*. He was diverted from his plan by the work suddenly appearing, executed by another hand, at Glasgow.

He did not, however, intend to limit his desires to the praise of eloquent writing; but aspired to the honour of instructing and delighting others by his tongue, as well as his pen. It was with this design, that during the latter years of his education, he became a member of a society of persons, who met together to improve themselves in the habits of speaking. Clubs of this description, when they are composed of men of liberal attainments, and governed by judicious regulations, very greatly facilitate the study at which they profess to aim: but amongst the ignorant, and without the restraint of prudent laws, they seldom generate any thing but flippancy and impudence. Robertson had the good fortune to become associated with several persons of eminent ability; a collision with whom would necessarily inspire an ardour of emulation, and give a lively impulse to all the faculties of his mind. He had two powerful reasons which would impel him to cultivate the art of oratory: these were, the nature of his intended profession, and the constitution of the Scottish church. The congregations which he was hereafter to address, had not been accustomed to listen to preachers who read their compositions from the pulpit; so that it was necessary, if he wished to teach either with facility to himself, or benefit to others, that he should acquire a habit of calm self-possession, and a power of quickly arranging his thoughts, together with a copiousness of language ready at a moment to clothe his ideas with

\* Horace Ars Poet. v. 412-15.

† See 'An Abridgment of the Aurifodina of Drexelius, by Bishop Horne,' in the *Scholar Armed*, vol. 2.

suitable expressions. The popular constitution of his church would lead him also to consider the advantage of being able to deliver his sentiments with promptness and vigour. In the General Assembly which meets every year at Edinburgh, and which consists not only of a great number of the clerical order, but also of many eminent laymen, an extensive and honourable field of discussion would be opened, in which no one could distinguish himself without possessing that art, to which a great tragic poet\* attributes a sovereign influence in the affairs of men.

Thus prepared by his learning and accomplishments, Mr. Robertson was licensed to preach by the presbytery of Dalkeith in 1741. This function, which is permitted in Scotland, even to laymen, he exercised before he had attained his twentieth year; and in 1743, he was invested with the full authority of a priest, and presented by the Earl of Hopetoun, to the living of Gladsmuir, in the county of East-Lothian.

Other heavy duties, besides those peculiar to his sacred profession, devolved upon him. He had not long been in possession of his preferment, when by the decease of both his parents (who died in circumstances not at all affluent), a younger brother and six sisters, were compelled to seek from him all the aid and protection which he could bestow. In this painful exigence, he acted with the most generous affection to his relations, and with the resolution of a man who is determined to sacrifice all considerations of interest and convenience to the demands of duty. Although the value of his living did not exceed one hundred pounds, he did not hesitate to make his residence at Gladsmuir, the home for the entire family; nor did his sisters quit his roof, until other respectable abodes were provided for them. This generosity was the more commendable, as it was purchased by great and peculiar self-denial on his part. He had long wished to cement the most tender of all ties and relations; but was restrained by claims which he thought prior in obligation, till the year 1751; when he married Miss Mary Nisbet, a lady who was his cousin, and daughter of one of the clergy of Edinburgh.

At Gladsmuir, his time was divided between his general studies and official duties. It was his custom to rise early, devoting the "sweet hours of prime" to his books and intellectual pleasures, and allotting the remainder of the day to his parochial engagements. On Sundays he thought it incumbent upon him to undertake the task of catechizing, as well as preaching; because from the nature of a mixed congregation, every preacher must suppose a previous knowledge of religious principles in the mind of his hearers; and if these are wanting, he must talk to them unintelligibly, and fail of producing any beneficial impression.

When the great rebellion broke out in Scotland, upon the invasion of the Pretender, in 1745, our author shewed that he possessed no

\* Τί δ' ἦτα θνητοὶ τάλλα μὲν μαθήματα  
μοχθοῦμεν, ὥς χρεὶ, πάντα, καὶ, μαστεύομεν,  
πειθᾷ δὲ, τὴν τύραννον ἀνθρώποις μόνῃν,  
οὐδὲν τι μᾶλλον ἐς τέλος σπουδάζομεν,  
μισθοῦς διδόντες, μαθάνειν, ἢ ᾧ ποτὲ  
πεῖθειν ἃ τις βούλειτο, τυγχάνειν θ' ἄμα;

Eurip. Hec. v. 802-7.

small share of energy and courage, as well as a zealous regard for the constitutional liberties of the state. Horace has ventured to declare : \*

Quem tu Melpomene semel  
 Nascentem placido lumine videris,  
 Illum non labor Isthmius  
 Clarabit pugilem, non equus impiger  
 Curru ducet Achaïco  
 Victorem ; neque res bellica Deliis  
 Ornatum foliis ducem,  
 Quod regum tumidas contuderit minas,  
 Ostendet Capitolio.

Mr. Robertson's conduct furnished an exception to the physical inactivity of learned men in general. "On one occasion" (says Mr. Stewart), "when the capital of Scotland was in danger of falling into the hands of the rebels, the state of public affairs appeared so critical, that he thought himself justified in laying aside, for a time, the pacific habits of his profession, and in quitting his parochial residence at Gladsmuir, to join the volunteers of Edinburgh ; and when at last it was determined that the city should be surrendered, he was one of the small band who repaired to Haddington, and offered their services to the commander of his majesty's forces."

The church of Scotland, at the period when Mr. Robertson began to interfere in the management of its concerns, was in a state of much confusion and insubordination ; so that both talent and intrepidity were required in the person who should attempt to reform its abuses. The disturbances chiefly originated in the system of patronage ; which after many changes in the Scottish church, was revived in the tenth year of the reign of Queen Anne. It was then enacted, that the patron of a vacant parish had a right to present some person to the presbytery, who were bound to ratify the appointment, unless any cogent objection could be urged against his life or qualifications. The law of patronage had always been considered such an odious grievance in Scotland, that it was openly resisted, and became almost nugatory. The people had gradually assumed to themselves the privilege of approving their pastors before they were inducted ; and the popular sanction which was denominated a *call*, was regarded as indispensable, and possessing more authority than the presentation of the patron. Thus the church became agitated with intestine tumults : the majesty of the law was disregarded, and the power of the General Assembly, which ought to have been supreme, was overawed by the factions and the clamours of the people.

Mr. Robertson determined to resist these dangerous encroachments ; to maintain the law of patronage, and assert the necessity of obedience to ecclesiastical rulers. It was in the assembly of 1751, that he first delivered the sentiments which he held respecting the polity of the church. The contumacy of a clergyman, who had slighted the decree of a former Assembly, became the topic of debate : when Mr. Robertson argued that it was their duty to vindicate the authority of the court by awarding a suitable punishment upon the offender. Such, however, was the fear which restrained them, or their ignorance

of the first principles of government, that his motion was lost, and the minority that voted with him, was quite insignificant.

The *Commission*\* which met in March of 1752, gave him another opportunity of reproving the pusillanimity of his colleagues. The presbytery of Dunfermline had been enjoined by the Commission to settle Mr. Richardson in the parish of Inverkeithing. The order was disregarded; and although this was the second instance of disobedience in the same persons, it was allowed to pass by without any censure. In a paper, from which we shall presently give some extracts, Mr. Robertson and a few of his friends, seriously protested against such pernicious lenity.

Not discouraged by the repulses which he had suffered, he renewed his arguments in the General Assembly of 1752. On this occasion, the force of reasoning was completely triumphant; for the judgment of the Commission was rescinded, and one of the presbyters of Dunfermline disgraced for contempt of legal authority.

The abstract of his reasons for dissenting from the resolution of the Commission, may be here subjoined.—“The sentence of the Commission was inconsistent with the nature and first principles of society. When men are considered as individuals, they have no guide but their own understanding, and no judge but their own conscience; but as members of society, they are bound in many instances to follow the judgment of the society. By joining together in society, we enjoy many advantages which we could neither purchase nor secure in a dis-united state. In consideration of these, we consent that regulations for public order shall be established; not by the private fancy of every individual, but by the judgment of the majority, or of those with whom the society has consented to intrust the legislative power. Their judgment must necessarily be absolute and final, and their decisions received as the voice and instruction of the whole. As long as a man continues in any society, professes regard for it, and reaps the emoluments of it, if he refuses to obey its laws, he manifestly acts both a disorderly and dishonest part: he lays claim to the privileges of the society, while he contemns the authority of it, and by all principles of equity and reason is justly subjected to its censures. They who maintain that such disobedience deserves no censure, maintain, in effect, that there should be no such thing as government and order. They deny those first principles by which men are united in society; and endeavour to establish such maxims as will justify not only licentiousness in ecclesiastical, but rebellion and disorder in civil, government.

“The sentence of the Commission, as it is subversive of society in general, so it is absolutely inconsistent with the nature and preservation of ecclesiastical society in particular. We admit that the church is not merely a voluntary society, but a society formed by the laws of Christ. But to his laws we conceive it to be most agreeable, that order should be preserved in the external administration of the affairs of the church. And we contend, in the words of our *Confession of Faith*, ‘That there are some circumstances concerning the worship of God, and the government of the church, common to human actions and societies,

\* The Assembly has its sittings only for ten days in the year; but a committee of the whole house, called the *Commission*, has four annual meetings in order to undertake whatever business the Assembly cannot accomplish.

which are to be ordered by the light of nature and Christian prudence, according to the general rules of the word, which are always to be observed.' It is very evident that unless the church was supported by continual miracles, and a perpetual and extraordinary interposition of heaven, it can only subsist by those fundamental maxims by which all society subsists. A kingdom divided against itself cannot stand. There can be no union, and by consequence there can be no society, where there is no subordination ; and therefore, since miracles are now ceased, we do conceive that no church or ecclesiastical society can exist without obedience required from its members, and enforced by proper sanctions. Accordingly, there never was any regularly constituted church in the Christian world, where there was not at the same time, some exercise of discipline and authority. If a judicature which is appointed to be the guardian and defender of the laws and orders of the society, shall absolve them who break their laws, from all censure, and by such a deed encourage and invite them to future disobedience, we conceive that they have exceeded their powers, and betrayed their trust in their most essential instance."

" Doctor Robertson's system with respect to the law of patronage, proceeded" (as we are informed by one of his friends\*) " upon the following principles: That as patronage is the law of the land, the courts of a national church, established and protected by law, and all the individual ministers of that church are bound, in as far as it depends upon exertions arising from the duties of their place, to give it effect: that every opposition to the legal rights of patrons tends to diminish that reverence, which all the subjects of a free government ought to entertain for the law; and that it is dangerous to accustom the people to think that they can elude the law or defeat its operation, because success in one instance leads to greater licentiousness. Upon these principles, Dr. Robertson thought that the church courts betrayed their duty to the constitution, when the spirit of their decisions, or negligence in enforcing obedience to their orders, created unnecessary obstacles to the right of patronage, and fostered in the minds of the people, the false idea that they have a right to choose their own ministers, or even a negative upon the nomination of the patron. He was well aware that the subjects of Great Britain are entitled to apply, in a constitutional manner, for the repeal of every law which they consider as a grievance. But while he supported patronage as the existing law, he regarded it also as the most expedient method of settling vacant parishes. It did not appear to him that the people are competent judges of those qualities which a minister should possess, in order to be a useful teacher either of the doctrines of pure religion, or of the principles of sound morality. He suspected that if the probationers of the church were taught to consider their success in obtaining a settlement, as depending upon a popular election, many of them would be tempted to adopt a manner of preaching more calculated to please the people, than to promote their edification. He thought that there is little danger to be apprehended from the abuse of the law of patronage, because the presentee must be chosen from amongst those whom the church itself had approved of, and had licensed as qualified for the office of the ministry; because a presentee cannot be admitted to the benefice, if any relevant charge as to his life or doctrine be proved

\* Dr. George Hill, Principal of St. Mary's College, in the University of St. Andrew's.



against him; and because after ordination and admission, he is liable to be deprived for improper conduct. When every possible precaution is thus taken to prevent unqualified persons from being introduced into the church, or those who afterward prove unworthy, from remaining in it, the occasional evils and abuses from which no human institution is exempted, could not, in the opinion of Dr. Robertson, be fairly urged as reasons against the law of patronage."

Such are the principles by which our author was guided in ecclesiastical affairs; and by the wisdom and consistency of which he repelled the aggressions of popular power, banished confusion, and gave dignity and steadiness to the counsels of the church.

While he was a zealous advocate of a firm and regular discipline, he shewed himself a foe to that puritanical austerity, which censures all the cheerful amusements of life, and disdains every polite accomplishment of taste. In the year 1757, Mr. John Home, the minister of Athelstonford, published the well-known tragedy of Douglas; an act which gave as much offence to the Scottish clergy, as if he had violated one of the great commands of the decalogue. The same body, who a little before, could patiently submit to have their authority opposed and derided, thought it an unpardonable offence against presbyterian solemnity, that any of their fraternity should give countenance to the amusements of the stage. Mr. Robertson displayed all his zeal and eloquence in defending Mr. Home, and his friends who had ventured to be present at the performance of the tragedy. He declared that he saw nothing repugnant to the purity of Christianity in writing a play that was not the vehicle of any vicious sentiments; and although he had never entered, nor intended to enter, a theatre, he did not think that all clergymen were bound to observe the same rigid self-denial. It is to be observed, that our author had promised his father never to be present at any theatrical performance, and that he scrupulously adhered to his word. This circumstance might give weight to his arguments, because it was obvious that in exculpating others, he was not contending for a licence which he wished to enjoy himself. Upon the whole, it is believed that his opinion had great influence in softening the sentence upon the offenders. Mr. Home resigned his living; and as to the gentlemen who accompanied him to the obnoxious amusement, some were only reproved, and one or two suspended for a short time.

Although Mr. Robertson had many religious duties to perform, and although he never debarred himself from the pleasures of society, his early taste for literature had not been permitted to languish. The first performance, by which he aspired to the fame of an author, was the history of his own country. Some circumstances relative to the progress of this work are preserved in the following letters, written by Mr. Robertson.\*

TO SIR DAVID DALRYMPLE (LORD HAILES).

SIR,

*Gladsmuir, Oct. 22, 1753.*

I INTEND to employ some of the idle time of this winter in making a more diligent inquiry than ever I have done, into that period of Scots history from the death of King James V. to the death of Queen

\* Mr. Stewart's Appendix.

Mary. I have the more common histories of that time, such as Buchanan, Spottiswood, and Knox, but there are several collections of papers by Anderson, Jebb, Forbes, and others, which I know not how to come at. I am persuaded you have most of these books in your library, and I flatter myself you will be so good as to allow me the use of them. You know better what books to send me, and what will be necessary to give any light to this part of the history, than I do what to ask; and therefore I leave the particular books to your own choice, which you'll please order to be given to my servant. Whatever you lend me shall be used with much care, and returned with great punctuality. I beg you may forgive this trouble.

I am, with great respect, &c.

TO THE SAME.

SIR,

*Gladsmuir, July, 26, 1757.*

I HAVE now got forward to the year 1660, and as it will be impossible for me to steer through Gowrie's conspiracy without your guidance, I must take advantage of the friendly offer you was pleased to make me, and apply to you for such books and papers as you think to be necessary for my purpose. I would wish to give an accurate and rational account of the matter, but not very minute. I have in my possession Calderwood's MSS. and all the common printed histories; but I have neither Lord Cromarty's account, nor any other piece particularly relative to the conspiracy. I beg you may supply me with as many as you can, and direct me to any thing you think may be useful. The papers you are pleased to communicate to me, shall be shewn to no human creature, and no farther use shall be made of them than you permit. My servant will take great care of whatever books or papers you give him. I need not say how sensible I am of the good-will with which you are pleased to instruct me in this curious point of history, nor how much I expect to profit by it.

I ever am, &c.

TO THE SAME.

SIR,

*Edinburgh, Nov. 8, 1758.*

I HAVE taken the liberty to send you enclosed, a preface to my book, which I have just now written. I find it very difficult for a man to speak of himself with any decency, through three or four pages. Unluckily, I have been obliged to write it in the utmost hurry, as Strahan is clamouring for it. I think it was necessary to say all in it that I have said, and yet it looks too like a puff. I send it to you not only that you may do me the favour to correct any inaccuracies in the composition, but because there is a paragraph\* in it which I could not presume to publish without your permission, though I have taken care to word it so modestly, that a man might have said it of himself. As I must send off the preface by to-morrow's post, I must beg the favour that you will return it, with your remarks, to-morrow morning. I would wish, if possible, that I had time to shew it to Blair.

I am, with great respect, &c.

\* Respecting Sir David Dalrymple.

The History of Scotland was published on the 1st of February, 1759, and the encomiums which were bestowed upon it, were prompt, warm, and universal. Dr. Warburton, who was too acute to be deceived, and too proud to flatter, wrote in the following terms to Millar, the publisher:—"I have received and read with great pleasure the new History of Scotland, and will not wait for the judgment of the public, to pronounce it a very excellent work. From the author's apparent love of civil and religious liberty, I suppose, that were it not for fear of offence (which every wise man in his situation would fear to give), he would have spoken with much more freedom of the hierarchical principles of the infant church of Scotland."

Mr. Horace Walpole wrote to the author:—"Having finished the first volume, and made a little progress in the second, I cannot stay till I have finished the latter, to tell you how exceedingly I admire the work. Your modesty will make you, perhaps, suppose these are words of compliment and of course; but as I can give you very good reasons for my approbation, you may believe that I no more flatter your performance, than I have read it superficially, hastily, or carelessly. The style is most pure, proper, and equal; is very natural and easy, except now and then, where, as I may justly call it, you are forced to *translate* from bad writers. You will agree with me, Sir, that an historian who writes from other authorities, cannot possibly always have as flowing a style, as an author whose narrative is dictated from his own knowledge. Your perspicuity is most beautiful, your relation always interesting, never languid; and you have very extraordinarily united two merits very difficult to be reconciled. I mean that though you have formed your history into pieces of information, each of which would make a separate memoir, yet the whole is hurried on into one uninterrupted story. I assure you, I value myself on the first distinction, especially as Mr. Charles Townshend made the same remark. You have preserved the gravity of history without any formality, and you have at the same time, avoided what I am now running into, antithesis and conceit; in short, Sir, I don't know where or what history is written with more excellencies; and when I say this, you may be sure I do not forget your impartiality. But, Sir, I will not wound your bashfulness with encomiums; yet the public will force you to hear them. I never knew justice so rapidly paid to a work of so deep and serious a kind; for deep it is, and it must be great sense that could penetrate so far into human nature, considering how little you have been conversant with the world."

The following passages are from the letters of Mr. David Hume, addressed to our author:—"You have very good cause to be satisfied with the success of your History, as far as it can be judged of from a few weeks' publication. I have not heard of one who does not praise it warmly; and were I to enumerate all those whose suffrages I have either heard in its favour, or been told of, I should fill my letter with a list of names. Mallet told me that he was sure there was no Englishman capable of composing such a work. The town will have it that you was educated at Oxford, thinking it impossible for a mere untraveller Scotchman to produce such language.—Since you will hear me speak on this subject, I cannot help it, and must fatigue your ears as much as ours are in this place by endless, and repeated, and noisy praises of the History of Scotland. Dr. Douglas told me yesterday, that he had seen the Bishop of Norwich, who had just bought

the book from the high commendations he heard of it from Mr. Legge. Mallet told me that Lord Mansfield is at a loss whether he shall most esteem the matter or the style. Elliot told me that being in company with George Grenville, that gentleman was speaking loud in the same key. Our friend pretended ignorance; said he knew the author, and if he thought the book good for any thing, would send for it and read it. Send for it by all means (said Mr. Grenville), you have not read a better book for a long time. But, said Elliot; I suppose, although the matter may be tolerable, as the author was never on this side the Tweed, till he wrote it, it must be very barbarous in the expression. By no means, cried Mr. Grenville; had the author lived all his life in London, and in the best company, he could not have expressed himself with greater elegance and purity."

In short, Mr. Hume declared that the merit of the work was so great, that there is scarce another instance of a first performance being so near perfection. The praise of this gentleman, we believe to have been given with sincerity: for though he had occupied the field of historical fame before our author, there seems not to have existed any bitterness of literary envy between the two writers. Shortly after the publication of the first work of Dr. Robertson (for that now becomes his title), Mr. Hume gave to the world, his History of the House of Tudor, comprising, of necessity, an account of Scottish affairs in the reign of Queen Mary; so that the two authors exhibited a trial of strength and ability on the same topics of inquiry. Dr. Robertson had expressed a wish that Mr. Hume should not write this period; but the latter declared that he could not comply with his desire, without abandoning the scheme of English history in which he had proceeded so far; subsequently, he also remarked, for their mutual consolation, that their combat was not likely to make half so much noise as that between Broughton and the one-eyed coachman. Before publishing, he said, he was glad to find that they would agree in almost all the material parts of their history; differing, however, in some points; such as the violation of the treaty of Perth, by Mary of Guise, and the innocency of Mary with regard to Babington's conspiracy.\* In history, as long as darkness veils the past, and prejudice and passion obscure the human understanding, there will remain some *veratæ quæstiones*, some interminable subjects, upon which writers will never entirely agree. Without attending to the collision of the two authors upon such disputes, we may venture to affirm, that in any of the excellences of a great historian, Dr. Robertson need not fear to stand the comparison with his countryman, Mr. Hume.

The praises of the History of Scotland were not echoed merely by the voices of private friends, who might be suspected of partiality: the public fully attested their opinion of its merit. A second edition was called for, within a month after the publication of the book; and Dr. Robertson lived to see no less than fourteen editions committed to the press. The rapidity of its success (he declared†), surprised no man more than the author. He did not affect to think less of it than was natural for him who made it; and he never was much afraid of the subject, which is interesting to the English as well as Scots: but a much more moderate success was all he looked for. Since the success

\* Mr. Hume's letters to Dr. Robertson, preserved by Mr. Stewart.

† Letter to Mr. Strahan.

had so far exceeded his hopes, he enjoyed it; especially as he had flattered nobody in order to obtain it, and had not spared to speak truth of all factions and sects.

Although he enjoyed an ample share of that panegyric, which a great Athenian\* considered the most delightful of all sounds, yet in his humble circumstances, something more was both requisite and just. While his *Scotland* was in the press he removed to Edinburgh, and became minister of the Old Grey Friars church; which post would be the more pleasing, as his father also had possessed it. In 1759, he was appointed chaplain to Stirling Castle, and the following year chaplain in ordinary to his Majesty, for Scotland. In 1762, he was raised to the dignity of Principal of the University of Edinburgh; and two years afterward, the office of Historiographer to his Majesty, for Scotland (which had been extinct since the time of Queen Anne), was revived in his favour, and a salary of 200*l.* per annum affixed to it.

Although his circumstances were such, as in a presbyterian clergyman might be denominated affluent; yet some of his friends wished to see him in possession of far richer emoluments. With this view, Sir Gilbert Elliot, Dr. John Blair, and Mr. Hume suggested to him the plan of migrating from the Scotch to the English Church; as the latter establishment (although in general offering nothing but situations of genteel indigence) contains a few dignities sufficient to reward the brightest merit and the loftiest ambition. From the notice which Dr. Robertson's fame at last attracted, there is little doubt that his succession might have been followed by his elevation to the highest ecclesiastical honours; but as an Episcopal and Presbyterian Church are essentially different in government, and he could not make the change without a sacrifice of principle and consistency, he wisely (and it is believed promptly) declined the injudicious scheme of his friends.

He was content to aggrandize himself by that honourable species of labour, which had been the origin of his reputation; but his mind was for some time perplexed with doubts concerning the subject which should next employ his pen. Several were proposed by his friends or suggested by his own judgment. The subject, which he would have preferred himself, was the History of England; and it is reported that Lord Chesterfield declared that, in case of his undertaking it, he would move in the House of Lords that public encouragement should be given him. He was deterred, however, from entering upon this field by his respect for Mr. Hume, as he did not think such rivalry to be consistent with the duties of friendship. His thoughts seemed to have been directed to the *Age of Leo the Tenth*; but Mr. Hume reminded him of the necessity of being versed in all the anecdotes of the Italian literature, and of the difficulty of acquiring a knowledge of the great works of sculpture, architecture, and painting, by which that age was chiefly distinguished. Mr. Walpole, among other subjects, hinted at a *History of Learning*; and the History of the Roman Empire under Nerva, Trajan, Adrian, and the two Antonines, which from the virtues of those princes might be called the *History of Humanity*. Mr. Hume's opinion, which is of far greater importance, is stated in the following letter, which has been preserved by Mr. Stewart:—

\* Themistoclem illum, summum Athenis virum dixisse aiunt, cum ex eo quaeretur, quod acroama, aut cujus vocem libentissimè audiret: Ejus, a quo sua virtus optimè prædicaretur. Cic. pro Arch.

"I have frequently thought and talked with our common friends upon the subject of your letter. There always occurred to us several difficulties with regard to every subject we could propose. The ancient Greek History has several recommendations, particularly the good authors from which it must be drawn; but this circumstance becomes an objection when more narrowly considered, for what can you do in most places with those authors but transcribe and translate them? No letters or state papers from which you could correct their errors, or authenticate their narration, or supply their defects. Besides, Rollin is so well wrote with respect to style, that with superficial people it passes for sufficient.\* There is one Dr. Leland, who has lately wrote the Life of Philip of Macedon, which is one of the best periods. The book, they tell me, is perfectly well wrote; yet it has such small sale, and has so little excited the attention of the public, that the author has reason to think his labours thrown away. I have not read the book, but by the size I should judge it to be too particular. It is a pretty large quarto. I think a book of that size sufficient for the whole history of Greece till the death of Philip, and I doubt not but such a work would be successful, notwithstanding all these discouraging circumstances. The subject is noble, and Rollin is by no means equal to it.

"I own I like still less your project of the age of Charles the Fifth. That subject is disjointed, and your hero, who is the sole connexion, is not very interesting. A competent knowledge is at least required of the state and constitution of the empire, of the several kingdoms of Spain, of Italy, of the Low Countries; which it would be the work of half a life to acquire: and though some parts of the story may be entertaining, there would be many dry and barren, and the whole seems not to have any great charms.

"But I would not willingly start objections to these schemes, unless I had something to propose which would be plausible; and I shall mention to you an idea which has sometimes pleased me, and which I had once entertained thoughts of attempting. You may observe that among modern readers Plutarch is in every translation the chief favourite of the ancients. Numberless translations and numberless editions have been made of him in all languages, and no translation has been so ill done as not to be successful. Though those who read the originals never put them in comparison either with Thucydides or Xenophon, he always attaches more the reader in the translation; a proof that the idea and execution of his work is in the main happy. Now I would have you think of writing modern lives somewhat after that manner; not to enter into a detail of the actions, but to mark the manners of the great personages by domestic stories, by remarkable sayings, and by a general sketch of their lives and adventures. You see that in Plutarch the life of Cæsar may be read in half an hour. Were you to write the life of Henry the Fourth of France after that model, you might pillage all the pretty stories in Sully, and speak more of his

\* Mr. Hume in another letter observes, that Rollin "has no merit, but a certain facility and sweetness of narration, but has loaded his work with fifty puerilities." This censure is illiberal and unjust. Many parts of Rollin are written in a manner which neither Mr. Hume nor any historian could surpass. The Frenchman has his blemishes we allow, but has not Mr. Hume a share of faults also? Are not his writings loaded not only with puerilities, but with faults much more offensive?

mistresses than of his battles. In short, you might gather the flower of all modern history in this manner. The remarkable Popes, the Kings of Sweden, the great discoverers and conquerors of the New World, even the eminent men of letters, might furnish you with matter, and the quick dispatch of every different work would encourage you to begin a new one. If one volume were successful, you might compose another at your leisure, and the field is inexhaustible. There are persons whom you might meet with in the corners of history, so to speak, who would be a subject of entertainment quite unexpected, and as long as you live, you might give and receive amusement by such a work. Even your son, if he had a talent for history, would succeed to the subject, and his son to him. I shall insist no farther on this idea, because, if it strikes your fancy, you will easily perceive all its advantages, and by farther thought all its difficulties."

Dr. Robertson was not persuaded to adopt this tempting proposal, although it is certain that if he had complied, he might, by his great talent and industry, have produced many volumes more full of engaging variety and instruction than any thing which we possess in the whole sphere of literature. The subject upon which he at last determined, was the History of Charles the Fifth, which comprises the most grand and eventful period in the affairs of Modern Europe. In the choice of this subject he was certainly not attracted by its facility, for nothing can be more difficult than to write profoundly, and at the same time with accuracy, upon the transactions of foreign nations. In one of his letters he adverts to the time and labour which he was obliged to employ in teaching himself to understand manners, laws, and forms, which he was to explain to others; to the pains he bestowed in studying the constitution, the manners, and the commerce of Spanish America; while the review contained in the first volume of Charles the Fifth was founded on researches still more laborious. He was not, however, dismayed by the prospect of literary toil; and he finally shewed himself competent to overcome every difficulty of history, which can be surmounted by human genius and perseverance.

When he had finished about one-third of his Charles the Fifth, his mind was diverted by some powerful solicitations to undertake a History of England. These came from illustrious persons, whose request alone was a flattering distinction, and a compliance with it appeared almost a duty. Lord Cathcart wrote to assure him that his Majesty had expressed a wish to see a History of England by his pen, and that Lord Bute had promised that every source of information, which Government could command, would be opened to him; and that great, laborious, and extensive as the work must be, the encouragement should be proportioned. The proposal was very agreeable to Dr. Robertson's inclinations, and his scruples about interfering in Mr. Hume's province seems to have subsided. He considered that his friend's book having been published several years before any work of his own on the same subject could appear, would already have assumed its due station in the literary world. Besides, their manner of viewing the same topics was so different and peculiar, that (as was the case in their last books) each might have his own partisans and maintain his own rank, without injuring the other. Still there were obstacles opposing a scheme, which in many respects appeared most desirable for himself, and for the nation, whose annals he was to illustrate. A residence in London (which seemed to be necessary) was in his

habits and circumstances not at all consonant to his own wishes, and would probably be accompanied with considerable disadvantages to his family; he was unwilling also to relinquish the work which he had in hand, and to waste so much labour as he had bestowed upon the History of Charles the Fifth. At last, for reasons which have not been precisely ascertained, the intention of writing the English History was abandoned. Mr. Stewart conjectures that some of the causes which led to this determination might be the departure of Lord Bute out of office in 1764, which made it necessary to open an arrangement with other persons; the delay also which arose in the completion of the Spanish History, occasioned by his duties in the Church, his avocations as Principal of the University, and the deep and extensive ramifications of inquiry which were multiplied upon him in the progress of the Emperor's reign.

In 1769, ten years after the publication of his Scotland, appeared the History of Charles the Fifth, with a dedication to the King, and a preliminary volume, containing a luminous review of the progress of society in Europe, from the subversion of the Roman Empire to the beginning of the sixteenth century. The public had expected this work with the most intense curiosity, and its merit was found perfectly commensurate to the expectations, not only of light and superficial readers, but also of the most learned and judicious. The critical journals of the day concurred with the expressions of private friendship in recording its excellence; and, at the present time, when the fervour of surprise is abated, and there is nothing to give any bias of partiality to the judgment, it will bear the most rigid examination, and be pronounced by the candid as equal to the most perfect historical productions, in grandeur of design, and the labour and skill, with which it is executed.

The following commendation is from Mr. Hume:—"I got yesterday from Strahan about thirty sheets of your History to be sent over to Suard, and last night and this morning have run them over with great avidity. I could not deny myself the satisfaction (which I hope also will not displease you) of expressing presently my extreme approbation of them. To say only they are very well written is by far too faint an expression, and much inferior to the sentiments I feel; they are composed with nobleness, with dignity, with elegance, and with judgment, to which there are few equals. They even excel, and, I think, in a sensible degree, your History of Scotland. I propose to myself great pleasure in being the only man in England, during some months, who will be in the situation of doing you justice; after which you may certainly expect that my voice will be drowned in that of the public."

In another letter, the writer of the History of England observes, that the success of Charles the Fifth had answered his expectations; that he who conversed with the great, the fair, and the learned, had scarcely heard an opposite voice, or even whisper, to the general sentiment.

A letter from Lord Lyttleton is remarkable for recommending to Dr. Robertson the same plan of historical labour as Mr. Hume had formerly proposed. His Lordship thus writes to our author:—

"I don't wonder that your sense of the public expectation gives you some apprehensions; but I know that the historian of Mary Queen of Scots cannot fail to do justice to any great subject, and no greater



can be found in the records of mankind than this you have now chosen. Go on, dear sir, to enrich the English language with these tracts of modern history. We have nothing good in that way, except what relates to the island of Great Britain. You have talents and youth enough to undertake the agreeable and useful tasking of giving us all the lives of the most illustrious princes, who have flourished since the age of Charles the Fifth in every part of the world, and comparing them together, as Plutarch has done the most celebrated heroes of Greece and Rome. This will diffuse your glory as a writer farther than any other work. All nations will have an equal interest in it, and feel a gratitude to the stranger who takes pains to immortalize the virtues of those to whom he is only related by the general sympathy of sentiment and esteem. Plutarch was a Greek, which made him less impartial between his countrymen and the Romans, in weighing their comparative merit, than you would be in contrasting a Frenchman with a German, or an Italian with a Spaniard, or a Dutchman with a Swede. Select, therefore, those great men out of different countries, whose characters and actions may be best compared together, and present them to our view, without that disguise which the partiality of their countrymen or the malice of their enemies may have thrown upon them. If I can animate you to this, posterity will owe me a very great obligation."

The publication of Charles the Fifth was in every respect most beneficial to Dr. Robertson. It is said that he received no less than 4500*l.* for the copyright; a sum, which though not at all disproportioned to the merit of the work and the labour expended upon it, is still a great proof both of the liberality of the booksellers, and of the eminent place which he held in the popular esteem. Many a writer of genius, especially amongst the unfortunate race of poets, has scarcely for his whole works received a quarter of the sum which this author obtained for one of his histories. He enjoyed a great accession of fame as well as emolument. The *Reign of the Emperor* appeared at Paris almost as soon as at London, being translated by M. Suard, a gentleman who was afterward admitted a Member of the French Academy, and who has given a version of several productions of the English press.

The epochs in a hero's life are his battles; the distinctive marks in the biography of a great author, which are his publications, are not less important, though less ostentatious. In 1777, Dr. Robertson had completed his *History of America*, which may be considered as a sequel of his *Reign of Charles the Fifth*. In his preface to the last named work he had remarked, that every intelligent reader would observe an omission in his plan; which was that he had given no account of the conquests of Mexico and Peru, or of the establishment of the Spanish Colonies, in the continent and islands of America. The history of these events he had originally intended to relate at considerable length. But, upon a nearer and more attentive consideration of this part of his plan, he found that the discovery of the New World, the state of society among its ancient inhabitants, their character, manners, and arts, the genius of the European settlements in the various provinces, together with the influence of these upon the systems of policy or commerce in Europe, were subjects so splendid and important, that a superficial view of them could afford little satisfaction; and, on the other hand, to treat them as extensively as they merited,

must produce an episode disproportionate to the principal work.\* They were reserved therefore for a separate performance, and discussed by themselves in his *History of America*.

In passing judgment upon this, as upon the rest of Dr. Robertson's works, the criticism of the most eminent men has been exercised. Our author had the privilege of enjoying the friendship of many of the greatest literary characters of the day; and the praises which they have bestowed upon him, will doubtless be more gratifying to the reader, than any remarks from persons of less conspicuous talents. Nor are we compelled by justice, as is frequently the case, to make large deductions from the eulogies of friends and contemporaries: since the merit of Dr. Robertson was of that substantial and transcendent nature, that those who praise him most highly, speak of him with most truth.

For the encomiums of Mr. Hume, who died in the year 1776, we shall substitute those of the writer of the *Decline and Fall of the Roman Empire*. "When I ventured (says Mr. Gibbon, in a letter from Paris) to assume the character of historian, the first, the most natural, but at the same time, the most ambitious wish which I entertained, was to deserve the approbation of Dr. Robertson and Mr. Hume, two names which friendship united, and which posterity will never separate. I shall not, therefore, attempt to dissemble, though I cannot easily express the honest pleasure which I received from your obliging letter, as well as from the intelligence of your most valuable present. The satisfaction which I should otherwise enjoy in common with the public, will now be heightened by a sentiment of a more personal and flattering nature; and I shall often whisper to myself, that I have in some degree obtained the esteem of the writer whom I admire.

"A short excursion which I have made to this place during the summer months, has occasioned some delay in my receiving your letter, and will prevent me from possessing, till my return, the copy of your *History*, which you so politely desired Mr. Strahan to send me. But I have already gratified the eagerness of my curiosity and impatience; and though I was obliged to return the book much sooner than I could have wished, I have seen enough to convince me that the present publication will support, and if possible, extend the fame of the author; that the materials are collected with care, and arranged with skill; that the progress of discovery is displayed with learning and perspicuity; that the dangers, the achievements, and the views of the Spanish adventurers, are related with a temperate spirit; and that the most original, perhaps the most curious portion of human manners, is at length rescued from the hands of sophists and declaimers. Lord Stormont, and the few in this capital who have had an opportunity of perusing the *History of America*, unanimously concur in the same sentiments: your work is already become a favourite subject of conversation, and M. Suard is repeatedly pressed, in my hearing, to fix the time when his translation will appear."

The following valuable letter, preserved by Mr. Stewart, is from the eloquent pen of the celebrated Mr. Burke:—

"I am perfectly sensible of the very flattering distinction I have received, in your thinking me worthy of so noble a present as that of your

\* Preface to *Charles the Fifth*.

History of America. I have, however, suffered my gratitude to lie under some suspicion, by delaying my acknowledgment of so great a favour. But my delay was only to render my obligation to you more complete, and my thanks, if possible, more merited. The close of the session brought a great deal of very troublesome, though not important business on me at once. I could not go through your work at one breath at that time, though I have done it since. I am now enabled to thank you, not only for the honour you have done me, but for the great satisfaction, and the infinite variety and compass of instruction, I have received from your incomparable work. Every thing has been done, which was so naturally to be expected from the author of the History of Scotland, and of the Age of Charles the Fifth. I believe few books have done more than this towards clearing up dark points, correcting errors, and removing prejudices. You have too the rare secret of rekindling an interest on subjects that had so often been treated, and in which every thing which could feed a vital flame appeared to have been consumed. I am sure I read many parts of your History, with that fresh concern and anxiety which attend those who are not previously apprised of the event. You have, besides, thrown quite a new light on the present state of the Spanish provinces, and furnished both materials and hints for a rational theory of what may be expected from them in future.

“The part which I read with the greatest pleasure is, the discussion on the manners and character of the inhabitants of that New World; I have always thought with you, that we possess at this time, very great advantages towards the knowledge of human nature. We need no longer go to history to trace it in all its stages and periods. History, from its comparative youth, is but a poor instructor. When the Egyptians called the Greeks children in antiquities, we may well call them children; and so we may call all those nations which were able to trace the progress of society only within their own limits. But now the great map of mankind is unrolled at once, and there is no state or gradation of barbarism, and no mode of refinement, which we have not at the same moment under our view: the very different civility of Europe and China; the barbarism of Persia, and of Abyssinia; the erratic manners of Tartary, and of Arabia: the savage state of North America, and of New Zealand. Indeed, you have made a noble use of the advantages you have had. You have employed philosophy to judge on manners, and from manners you have drawn new resources for philosophy. I only think, that in one or two points, you have hardly done justice to the savage character.”

The History of America, as well as the Age of Charles V. was translated into the French language, by M. Suard; and Dr. Robertson's works being disseminated abroad, obtained for him several honourable notices from foreign nations. The Spanish people, as being principally indebted to his talents and candour, led the way. “On the 8th of August, 1777, he was unanimously elected a member of the Royal Academy of History at Madrid; in testimony of their approbation of the industry and care with which he has applied to the study of Spanish history, and as a recompense for his merit, in having contributed so much to illustrate and spread the knowledge of it in foreign countries.” In 1781, a similar honour was conferred upon him by the Academy of Sciences at Padua; and the example was followed in

1713, by the Imperial Academy of Sciences at St. Petersburg. The Empress Catherine of Russia, concurred with these learned bodies and testified her warm admiration of the historian's great merit. The following intelligence, communicated by his friend Dr. Rogerson, must have been gratifying to the pride of any author.

"Your History of America was received and perused by her Imperial Majesty, with singular marks of approbation. All your historical productions have been ever favourite parts of her reading. Not long ago, doing me the honour to converse with me upon historical composition, she mentioned you with particular distinction, and with much admiration of that sagacity and discernment displayed by you in painting the human mind and character, as diversified by the various causes that operate upon it, in those eras and states of society on which your subject led you to treat. She assigned you the place of first model in that species of composition. As to the History of Charles V., she was pleased to add, '*C'est le compagnon constant de tous mes voyages : je ne me lasse jamais à le lire, et particulièrement le premier volume.*'"

"She then presented a very handsome gold enamelled snuff-box, richly set with diamonds, ordering me to transmit it to you, and to desire your acceptance of it, as a mark of her esteem; observing at the same time, that a person, whose labours had afforded her so much satisfaction, merited some attention from her."

Dr. Robertson had intended to comprise in his History of America, not only an account of the Spanish conquests and settlements there, but also of the establishments which other European people made in the western world. The completion of his design was first delayed, and finally frustrated, by the breaking out of the disastrous American war. He considered, that while the colonies were engaged in civil dissension with Great Britain, inquiries and speculations concerning their earliest forms of policy and laws, which existed no longer, could not be interesting. He thought it necessary to wait for times of greater tranquillity, when he could write, and the public read, with greater impartiality and better information: and his principal friends confirmed him in the resolution of making a pause for a little, until it should be known in what manner the colonial ferment would subside. He, indeed, congratulated himself that his American History was not finished before the rupture; as many plausible theories which he would have been entitled to form, must have been contradicted by subsequent events.\* He proceeded so far in his original plan as to digest, at his leisure, the History of Virginia to the year 1688, and the History of New England to the year 1652. These were found among his papers after his death; and being judged equal to any of his preceding works, were published by his son.

Although the progress of his American researches was checked, he had no disposition to be entirely idle; and his friends were forward in suggesting new subjects to occupy his talents. It was recommended to him by many persons, to write the History of Great Britain, from the Revolution to the accession of the House of Hanover; and in a letter written in 1778, he seems at that period seriously to have contemplated the design, and to have thought upon his materials. The following year, however, his resolution was altered, and Mr. Gibbon

hinted at another subject. "I remember (says the author of the *Decline and Fall*) a kind of engagement you had contracted, to repeat your visit to London every second year, and I look forwards with pleasure to next spring, when your bond will naturally become due. I should almost hope that you would bring with you some fruits of your leisure, had I not been informed that you had totally relinquished your design of continuing Mr. Hume's *History of England*. Notwithstanding the just and deep sense I must entertain (if the intelligence be true) of our public loss, I have scarcely courage enough to blame you. The want of materials, and the danger of offence, are two formidable obstacles for an historian who wishes to instruct, and who is determined not to betray his readers. But if you leave the narrow limits of our island, there still remain, without returning to the troubled scene of America, many subjects not unworthy of your genius. Will you give me leave, as a vague and indigested hint, to suggest the *History of the Protestants in France*: the events are important in themselves, and intimately connected with the great revolutions of Europe; some of the boldest or most amiable characters of modern times, the Admiral Coligny, Henry IV. &c. would be your peculiar heroes; the materials are copious and authentic, and accessible; and the objects appear to stand at that just distance which excites curiosity, without inspiring passion. Excuse the freedom, and weigh the merits (if any) of this proposal."

Mr. Gibbon's suggestion was not adopted: and indeed, all literary projects seem for a considerable period to have been excluded from the mind of our author. He preferred devoting his hours to professional duties, and to the intellectual delights of reading and conversation. He might justly consider himself entitled to a respite from the toil of the press, on account of the extent of his former labours, the ease of his circumstances, the establishment of his fame, and the recreation, which a constitution at sixty would require, after severe efforts of mental labour. He gave, however, one more proof before his death, of the vigour of his talents, and the depth of his research. In 1791, he appeared before the public for the last time, concluding his historical career with a *Disquisition concerning ancient India*. His own account of the origin of this work is, that he was induced to undertake it "from the perusal of Major Rennell's *Memoir* for illustrating his map of Indostan. This suggested to him the idea of examining, more fully than he had done in the introductory book to his *History of America*, into the knowledge which the ancients had of that country, and of considering what is certain, what is obscure, and what is fabulous, in the accounts of it which they have handed down to us. In undertaking this inquiry, he had originally no other object than his own amusement and instruction; but in carrying it on, and consulting with care the authors of antiquity, some facts hitherto unobserved, and many which had not been examined with proper attention, occurred; new views opened, his ideas gradually extended, and became more interesting; till at length he imagined, that the result of his researches might prove amusing and instructive to others."

The learned geographer, whose work gave rise to Dr. Robertson's *Disquisition*, liberally acknowledged his sentiments of approbation; with which our author was much gratified.

every security that the most scrupulous anxiety could devise, to demean himself as a loyal and peaceable subject. These slender rights, the lowest a man can claim or enjoy in a social state, are the amount of all the mighty and dreaded acquisitions made by Papists in virtue of this law. I rejoiced in the temperate wisdom of the legislature, and foresaw, that a wealthy body of subjects in England, and a very numerous one in Ireland, would, instead of continuing adverse to a government which treated them with rigour, become attached to their King and country, by the most powerful of all ties, gratitude for favours received, and desire of securing the continuance of favour, by dutiful conduct. With such views of the salutary effects of the repeal, it was impossible not to wish that the benefit of it might be extended to the Roman Catholics in Scotland.

“ As soon, however, as I perceived the extent and violence of the flame which the discussion of this subject had kindled in Scotland, my ideas concerning the expedience at this juncture of the measure in question, began to alter. For although I did think, and I do still believe, that if the Protestants in this country had acquiesced in the repeal as quietly as our brethren in England and Ireland, a fatal blow would have been given to Popery in the British dominions; I knew, that in legislation, the sentiments and dispositions of the people for whom laws are made, should be attended to with care. I remembered that one of the wisest men of antiquity declared, that he had framed for his fellow-citizens, not the best laws, but the best laws which they could bear. I recollected with reverence, that the Divine Legislator himself, accommodating his dispensations to the frailty of his subjects, had given the Israelites for a season, *statutes which were not good*. Even the prejudices of the people are, in my opinion, respectable; and an indulgent legislature ought not unnecessarily to run counter to them. It appeared manifestly to be sound policy, in the present temper of the people, to soothe rather than to irritate them; and, however ill-founded their apprehensions might be, some concession was now requisite, in order to remove them. In every argument against the repeal of the penal laws, what seemed chiefly to alarm my brethren who were averse to it, was the liberty which, as they supposed, was given by the act of last session, to Popish ecclesiastics to open schools and to take upon them the public instruction of youth. In order to quiet their fears with respect to this, I applied to his Majesty's Advocate and Solicitor-General, and by their permission, I proposed to a respectable minister and elder of this church, who deservedly possess much credit with the opposers of this repeal, that such provisos should be inserted in the bill which was to be moved in Parliament, for restraining the Popish clergy in this point, as would obviate every danger apprehended. These gentlemen fairly told me, that, if such a proposition had been made more early, they did not doubt that it might have produced good effects; but now matters were gone so far, that they were persuaded nothing less would satisfy the people, than a resolution to drop the bill altogether. Persuaded of the truth of what they represented, seeing the alarm spread rapidly in every quarter, and knowing well how imperfectly transactions in this country are understood in the other part of the island, I considered it as my duty to lay before his Majesty's servants in London, a fair state of the sentiments of the people in Scotland. My station in the church, I thought, entitled me to take this liberty in a matter purely ecclesiastical. I

flattered myself, that my avowed approbation and strenuous support of a measure which had been unhappily so much misunderstood, might give some weight to my representations. I informed them, that the design of extending the repeal of the penal statutes of King William to Scotland, had excited a very general alarm: that the spirit of opposition to this measure spread among the King's most loyal and attached subjects in this country: that nothing would calm and appease them, but the relinquishing all thoughts of such a bill: that the procuring of the intended relaxation for a handful of Catholics, was not an advantage to be put in competition with the imprudence of irritating so great a body of well-affected subjects: that if the measure were persisted in, fatal effects would follow, and no man, how great soever his sagacity might be, could venture to foretel what would be the extent of the danger, and what the violent operations of an incensed populace: that groundless as the fears of the people might be, it was prudent to quiet them: and that the same wisdom and moderation which had induced government some years ago, to repeal the act for naturalizing the Jews, in consequence of an alarm, as ill-grounded in the southern parts of the island, ought now to make a similar concession, from indulgence to the prejudice of the people on this side of the Tweed.

"Such has been the tenor of my conduct. While I thought a repeal of the penal statutes would produce good effects, I supported it openly: when I foresaw bad consequences from persisting in a measure which I had warmly approved, I preferred the public good to my own private sentiments; I honestly remonstrated against it; and I have the satisfaction to think, that I am the only private person (as far as I know) in Scotland, who applied to those in power, in order to prevent this much dreaded repeal, which has been represented as the subversion of every sacred right for which our ancestors contended and suffered."

He made only one appearance more in the Assembly, subsequent to his delivery of this speech. After May, 1780, he thought proper to withdraw from a meeting, whose counsels he had guided for a multitude of years, with unrivalled skill, moderation, and firmness. His reasons for retiring (says one of his friends\*) were not suggested by age, for he was then only fifty-nine; nor by any diminution of his influence, for, in the apprehension of the public, it was at that time as great as it had ever been. Probably he anticipated a day, when a new leader might come forward; and thought it better to retire while his influence was undiminished, than to run the risk, in the decline of his life, of a struggle with younger men, who might be as successful as himself had been. He had met with reproaches from the more violent men of his party, for not adopting stronger measures than his moderation could approve. He had yielded to them many points, against his own judgment, but they were not satisfied: he was plagued with letters of reproach and remonstrance on a variety of topics, and complained of the petulance and acrimony with which they were written. There was one subject, which had become particularly uneasy to him; the scheme into which his friends had zealously entered, for abolishing subscription to the Confession of Faith and Formula. This he ex-

\* Letter of the Rev. Sir H. M. Wellwood, Bart.

pressly declared his resolution to resist in every form ; and he claimed to himself, the merit of having prevented the controversy from being agitated in the Assemblies. He was, however, so much harassed with remonstrances on the subject, that he mentioned them as having confirmed his resolution to retire.

The latter years of his life were spent in anxious attention to his pastoral and academical duties, and in enjoying the stores of a contemplative and richly cultivated mind. His constitution, which had firmly supported him under severe labours, and the sedentary habits of a studious life, exhibited visible symptoms of decay at the close of the year 1791. His malady was a jaundice, which by lingering attacks, succeeded in destroying the vigour of a frame, which age had already weakened. The slow progress of his disorder gave him an opportunity of deliberately contemplating death ; and he was enabled, by the strength of those Christian virtues, which had distinguished his days, to view the solemn prospect, with firmness and resignation. A short time before his decease, he was removed to *Grange House*, situated in the vicinity of Edinburgh, but possessing more healthful advantages than the metropolis can boast. On the 4th of June, 1793, Mr. Stewart saw him (for the last time) by the invalid's own desire. He was then confined to his bed, and his articulation was failing. He requested from Mr. Stewart, a last token of his regard ; which that gentleman faithfully and affectionately paid, by communicating to the world, his *Account of the Life and Writings of Dr. Robertson*. This great historian died on the 11th of June, leaving a numerous family in circumstances both of affluence and honour.

The Life of Dr. Robertson exhibits a rare combination of the most exalted genius and virtue. He is one of those great luminaries, which, though they may be surveyed on every side, present nothing but brilliancy, and strike the beholder with unmingled admiration. His talents, though of the highest order, did not betray him into any of those eccentricities which often disgrace men of genius ; he never wandered into extravagance and paradox, and was never elated into arrogance and conceit. A calm and discriminating judgment controlled all his sentiments, and guided his conduct with so much success, that he was able, in defiance of many disadvantages of birth and situation, to obtain an honourable eminence in life, and one of the most splendid elevations in the paths of learning.

Although the requisites of a great historian are very numerous, it may be affirmed, that he is not deficient in a single qualification. He is diligent in collecting his materials, patient in searching out the truth ; and judicious in discriminating it amidst error and contradiction. His relations are given to the reader, in a full and perspicuous manner, without omissions or redundancy ; they are connected together with admirable skill, and possess such accurate delineation, and such richness of colouring, that the imagination is forcibly seized, and hurried along with unabated eagerness. In the moral requisites of a historian, he is unrivalled. He had no private theories to advance, and he was too independent to flatter any sect or party. Although we may not agree with him upon some perplexing topics, and though subsequent researches may, in small matters, convict him of error, we are satisfied that he wrote with impartiality, and never attempted to deceive his readers, with the misrepresentations of bigotry or malevolence.



His style deserves as much commendation as his matter. It possesses a surprising mixture of strength and elegance, of force and harmony. The great characteristic is its dignity; in his pages, the Muse of History is always grave, disdaining to speak in terms of colloquial freedom, yet seldom employing language that is turgid and unnatural. It increases our admiration of his style, when we reflect, that he attained a consummate skill in the English language, before he had ever been out of Scotland. All his power and beauty of expression were to be acquired by careful study, and judicious observation of other writers; and the difficulty of success under such disadvantages can be appreciated, only by those who know what care it requires, to write in a different idiom and phraseology from that which they are accustomed to hear and speak. We are informed\* that he studied with attention the writings of Swift and Johnson. Avoiding their blemishes, he has been able to attain their characteristic excellences; he is nervous, but more harmonious than Swift; at the same time, he is polished, but less tumid than Johnson.

In perusing the works of Dr. Robertson, it is impossible not to be struck with their amazing variety and extent. Escaping from the narrow limits of his own island, he traverses all Europe, surveying the polity and relations of its greatest people; he next transports us to the New World, explaining its productions, its grand natural features, and the manners of its inhabitants; and, lastly, he entertains us with a learned investigation concerning the ancient refinement and ingenuity of the people of India. Thus of four parts of the globe, three have been illustrated by his pen, and each with masterly judgment and eloquence. In the depth and extent of his historical labours, he has been surpassed by no writer, ancient or modern. As to those who, in conjunction with him, have most distinguished this island, Mr. Gibbon comes nearest to him in research; whilst Mr. Hume, in this particular, is far inferior to both. In other respects, also, the first rank appears due to Dr. Robertson in the "triumvirate of British historians." His style, though sufficiently dignified, is free from that swollen and affected pomp, which obscures the pages of Gibbon; and though it is less easy than that of Hume, it possesses no elevation, which is unsuitable to the grave character of history. In candour and impartiality, he far exceeds both the author of the *English History*, and the author of the *Decline and Fall*. If we consider also the advantages which Mr. Gibbon possessed, as a native of England, and the benefit which both he and Mr. Hume derived from foreign travel, and then reflect upon the situation of Dr. Robertson, and the multitude of business which constantly interfered to delay his studies, the efforts of the latter will appear gigantic in comparison with those of either of his competitors.

His public intimacy with these two gentlemen, both of whom were notorious for their sceptical opinions, is a circumstance in his life, which candour may desire to extenuate, but which rigid propriety cannot approve. His difference with Mr. Hume and Mr. Gibbon, was not upon those minor points of speculation, in which mutual forbearance is a virtue:—it was a difference so wide and important, that he must (if he had reasoned calmly and consistently) have considered them as the bitterest enemies of the peace of man, and the welfare of so-

\* Letter of Mr. Hume, and Boswell's Life of Johnson.

ciety. Their dangerous opinions had not been confined within their own bosoms, nor even within the range of their private circle: they had given them all the publicity in their power, and disseminated their poison wherever their writings were perused. As their hostility against religion was open and bitter, was it becoming that a believer and a teacher of Christianity, whose name possessed influence with his countrymen, should allow himself to be considered as the intimate friend of avowed infidels? Some persons may be found, who will commend such behaviour, as an instance of liberality; but true liberality, which tolerates only what is venial in theory and conduct, should be distinguished from that laxity of principle which regards all opinions, sound or pernicious, with equal indifference. The best excuse which can be made for our author is, the temptation which the society of Mr. Hume and Mr. Gibbon presented. It was difficult for a person of his habits, to forego the pleasure which was offered, from an intercourse with scholars of such similar taste and attainments in literature; and as their lives were regular, and free from the extravagance which characterized their opinions, he might hope to be permitted to enjoy their society, as a man of letters, while he reprobated their theories, as a friend of Christianity.

Passing from this circumstance, which is the greatest blemish in his life, we view with pleasure and admiration, the many accomplishments for which he was eminent. It was not from the labours of the study only, that he earned a bright reputation. He could make the boast of the great Roman orator: \* *ceteros pudeat, si qui ita se literis abdidierunt, ut nihil possint ex his neque ad communem afferre fructum, neque in aspectum lucemque proferre. Me autem quid pudeat, qui tot annos ita vivo, ut ab nullius unquam me tempore, aut commodum, aut otium meum abstraxerit, aut voluptas avocarit, aut denique somnus retardarit?* If Dr. Robertson had appeared in no other character, he would deserve to have his memory cherished by his countrymen, for his wisdom and firmness as an ecclesiastical leader. He came forward at a time when the church of his country was in imminent danger, from the weakness and indecision of her counsels. Applying his talents to remedy inveterate evils, he resolutely pursued his plans, in contempt of prejudice and popular clamour; and such was the ascendancy which he attained, that the period from the time he became Principal of the University, until he retired from the Assembly, was known by the title of Dr. Robertson's *administration*. This distinction was, of all others, the most honourable, because it was conceded to him, not on account of any rewards and emoluments which cupidity might expect at his hand, but solely from the deference which his talents and principles commanded. His conduct in the Assembly is highly extolled by Dr. Erskine, whose praise is the more sincere and valuable, as he was the leader of a party which opposed the Principal's ecclesiastical measures.

Dr. Robertson's "speeches in church courts"† were admired by those whom they did not convince, and acquired and preserved him an influence over a majority in them, which none before him enjoyed; though his measures were sometimes new, and warmly, and with great

\* Pro Archia.

† Discourses on several occasions, by John Erskine, D.D. Vol. i. p. 271.

strength of argument, opposed both from the press, and in the General Assembly. To this influence, many causes contributed: his firm adherence to the general principles of church policy, which he early adopted; his sagacity in forming plans; his steadiness in executing them; his quick discernment of whatever might hinder or promote his designs; his boldness in encountering difficulties; his presence of mind in improving every occasional advantage; the address with which, when he saw it necessary, he could make an honourable retreat; and his skill in stating a vote, and seizing the favourable moment for ending a debate, and urging a decision. He guided and governed others, without seeming to assume any superiority over them: and fixed and strengthened his power, by often, in matters of form and expediency, preferring the opinions of those with whom he acted, to his own. In former times, hardly any rose up to speak in the General Assembly, till called upon by the *Moderator*, unless men advanced in years, of high rank, or of established characters. His example and influence encouraged young men of abilities to take their share of public business; and thus deprived *Moderators* of an engine for preventing causes being fairly and impartially discussed. The power of others, who formerly had in some measure guided ecclesiastical affairs, was derived from ministers of state, and expired with their fall. His remained unhurt, amidst frequent changes of administration. Great men in office were always ready to countenance him, to co-operate with him, and to avail themselves of his aid. But he judged for himself, and scorned to be their slave, or to submit to receive their instructions. Hence his influence, not confined to men of mercenary views, extended to many of a free and independent spirit, who supported, because they approved, his measures: which others, from the same independent spirit, thought it their duty steadily to oppose.

“Deliberate in forming his judgment, but, when formed, not easily moved to renounce it, he sometimes viewed the altered plans of others, with too suspicious an eye. Hence, there were able and worthy men, of whom he expressed himself less favourably, and whose latter appearances in church judicatories he censured, as inconsistent with principles which they had formerly professed: while they maintained, that the system of managing church affairs was changed, not their opinions and conduct. Still, however, keen and determined opposition to his schemes of ecclesiastical policy, neither extinguished his esteem, nor forfeited his friendly offices, when he saw opposition carried on without rancour, and when he believed that it originated from conscience and principle, not from private animosity, envy, or ambition.”

This panegyric leads us to concur in the opinion of Mr. Stewart, that Dr. Robertson was formed for action, no less than speculation. Mr. Walpole also, in one of his letters, lamented that he could only stimulate him to write; that he could not make him what he ought to be, a *Minister of State*. It seems unquestionable, that Dr. Robertson would, by his transactions in the Assembly, be much aided in acquiring that insight into men, and that knowledge of the world, which enabled him to write with the sagacity of an acute historian. Nor should it excite very great surprise, that he could learn so much in so narrow a sphere. Genius, from the depth of reflection and shrewdness of observation which it possesses, can be satisfied with a small field, in order to exercise its remarks. Dr. Robertson in his study,

and in a Scottish Assembly, penetrated more deeply into human nature, than thousands of frivolous observers, who have visited all the kingdoms, and paraded in all the courts, of Europe.

In presiding over the university, he was punctually attentive to all the duties of his station, and preserved such peaceful order, as remarkably proves his able and temperate government. When we consider the incurable disagreement of men upon all topics, we are led to admire the extraordinary prudence and authority of Dr. Robertson, by which he secured, for the period of thirty years, a perfect *unanimity* of opinion on all questions discussed in the meetings of the university. Vigilant for the welfare of the learned body which he governed, he actively promoted every measure which could give lustre to its character, and quicken the diffusion of learning. Many of the societies which distinguished the metropolis of Scotland, were either planned by him, or improved under his superintendence; and the Royal Society of Edinburgh is totally indebted to him for the first conception of its establishment, and the vigorous zeal with which he carried the design into execution.

If with his great literary and academical labours, we connect his sedulous care in the discharge of his pastoral duties, we are surprised to think, how much a person of talents can accomplish, by a careful economy and exact distribution of time. He was in the habit of preaching every Sunday, until illness incapacitated him, and it was not till within a short time before his death, that he totally desisted from the practice. He was not able to acquire that elegance in the delivery of English, which he obtained in the writing of it: his pronounciation was perfectly Scottish, although this would be considered no defect, by the congregations which it was his lot to address. "His discourses" (says Dr. Erskine, who heard him for many years) "were so plain, that the most illiterate might easily understand them, and yet so correct and elegant, that they could not incur their censure, whose taste was more refined. For several years before his death, he seldom wrote his sermons fully, or exactly committed his older sermons to memory; though had I not learned this from himself, I should not have suspected it; such was the variety and fitness of his illustrations, the accuracy of his method, and the propriety of his style." Of the discourses thus commended, we have unfortunately no specimens preserved. The only sermon from the author's pen which is extant, is, upon *The situation of the World at the time of Christ's appearance, and its connexion with the success of his Religion; preached before the Society in Scotland, for propugating Christian Knowledge, January 6, 1755.* The public might have been put in possession of many other religious compositions of the great historian, but for an accident by which a volume of his sermons, that had been carefully composed, was lost before he removed from the living of Gladsmuir.

Viewing Dr. Robertson lastly in his private character, we are not compelled to lower the tone of our panegyric. Free from any tincture of puritanical asperity, he was always agreeable to his friends, and affectionate in the most tender relations of life. Wit he seldom attempted, and accordingly, we have not a single *bon mot* or lively saying, recorded of him. In his freest hours he could, however, exhibit a playfulness of humour; and on serious topics of conversation, his rich fund of miscellaneous knowledge, which he could pour forth

in diction almost as elegant as his written language, make his colloquial powers as much admired as his other accomplishments. We cannot adorn his character with a greater eulogy, than that which has been paid him by Dr. Erskine. “He enjoyed the bounties of Providence, without running into riot; was temperate, without austerity; condescending and affable, without meanness; and in expense, neither sordid nor prodigal. He could feel an injury, and yet bridle his passion; was grave, not sullen; steady, not obstinate; friendly, not officious; prudent and cautious, not timid.”

Such was Dr. Robertson. Few men have surpassed him, either singly in the attainments of learning, or in the purity of virtue: none have ever combined in more perfect union, the talents of an author, with skill in transacting the business, and exemplary attention in discharging the duties of life.



THE  
HISTORY OF SCOTLAND

DURING THE REIGNS OF  
QUEEN MARY AND JAMES VI.

TILL HIS  
ACCESSION TO THE CROWN OF ENGLAND;

WITH  
A REVIEW OF THE SCOTTISH HISTORY PREVIOUS TO THAT PERIOD;  
AND  
AN APPENDIX CONTAINING ORIGINAL PAPERS.

## PREFACE TO THE FIRST EDITION.

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I DELIVER this book to the world with all the diffidence and anxiety natural to an author on publishing his first performance. The time I have employed, and the pains I have taken, in order to render it worthy of the public approbation, it is, perhaps, prudent to conceal, until it be known whether that approbation shall ever be bestowed upon it.

But as I have departed, in many instances, from former historians, as I have placed facts in a different light, and have drawn characters with new colours, I ought to account for this conduct to my readers; and to produce the evidence, on which, at the distance of two centuries, I presume to contradict the testimony of less remote, or even of contemporary historians.

The transactions of Mary's reign gave rise to two parties, which were animated against each other with the fiercest political hatred, imbittered by religious zeal. Each of these produced historians of considerable merit, who adopted all their sentiments, and defended all their actions. Truth was not the sole object of these authors. Blinded by prejudices, and heated by the part which they themselves had acted in the scenes they describe, they wrote an apology for a faction, rather than the history of their country. Succeeding historians have followed these guides almost implicitly, and have repeated their errors and misrepresentations. But as the same passions which inflamed parties in that age have descended to their posterity; as almost every event in Mary's reign has become the object of doubt or of dispute; the eager spirit of controversy soon discovered, that without some evidence more authentic and



more impartial than that of such historians, none of the points in question could be decided with certainty. Records have therefore been searched, original papers have been produced, and public archives, as well as the repositories of private men, have been ransacked by the zeal and curiosity of writers of different parties. The attention of Cecil to collect whatever related to that period, in which he acted so conspicuous a part, hath provided such an immense store of original papers for illustrating this part of the English and Scottish History, as are almost sufficient to satisfy the utmost avidity of an antiquary. Sir Robert Cotton (whose library is now the property of the public) made great and valuable additions to Cecil's collection; and from this magazine, Digges, the compilers of the *Ca-balla*, Anderson, Keith, Haynes, Forbes, have drawn most of the papers which they have printed. No History of Scotland, that merits any degree of attention, has appeared since these collections were published. By consulting them, I have been enabled, in many instances, to correct the inaccuracies of former historians, to avoid their mistakes, and to detect their misrepresentations.

But many important papers have escaped the notice of those industrious collectors; and, after all they have produced to light, much still remained in darkness, unobserved or unpublished. It was my duty to search for these; and I found this unpleasant task attended with considerable utility.

The library of the Faculty of Advocates at Edinburgh contains not only a large collection of original papers relating to the affairs of Scotland, but copies of others no less curious, which have been preserved by Sir Robert Cotton, or are extant in the public offices in England. Of all these the curators of that library were pleased to allow me the perusal.

Though the British Museum be not yet open to the public, Dr. Birch, whose obliging disposition is well known, procured me access to that noble collection, which is worthy the magnificence of a great and polished nation.

That vast and curious collection of papers relating to the reign of Elizabeth, which was made by Dr. Forbes, and of which he published only two volumes, having been purchased since his death by the lord viscount Royston, his lordship was so good as to allow me the use of fourteen volumes in quarto, containing that part of them which is connected with my subject.

Sir Alexander Dick communicated to me a very valuable collection of original papers, in two large volumes. They relate chiefly to the reign of James. Many of them are marked with archbishop Spotiswood's hand; and it appears from several passages in his history, that he had perused them with great attention.

Mr. Calderwood, an eminent presbyterian clergyman of the last century, compiled a History of Scotland from the beginning of the reign of James V. to the death of James VI. in six large volumes; wherein he has inserted many papers of consequence, which are nowhere else to be found. This History has not been published, but a copy of it, which still remains in manuscript, in the possession of the church of Scotland, was put into my hands by my worthy friend the Reverend Dr. George Wishart, principal Clerk of the Church.

Sir David Dalrymple not only communicated to me the papers which he has collected relating to Gowrie's conspiracy; but, by explaining to me his sentiments with regard to that problematical passage in the Scottish history, has enabled me to place that transaction in a light which dispels much of the darkness and confusion in which it has been hitherto involved.

Mr. Goodall, though he knew my sentiments with regard to the conduct and character of queen Mary to be extremely different from his own, communicated to me a volume of manuscripts in his possession, which contains a great number of valuable papers copied from the originals in the Cottonian Library and Paper Office, by the late Reverend Mr. Crawford, Regius Professor of Church History in the University of Edinburgh. I likewise received from

him the original register of letters kept by the regent Lennox during his administration.

I have consulted all these papers, as far as I thought they could be of any use towards illustrating that period of which I wrote the history. With what success I have employed them to confirm what was already known, to ascertain what was dubious, or to determine what was controverted, the public must judge.

I might easily have drawn, from the different repositories to which I had access, as many papers as would have rendered my Appendix equal in size to the most bulky collection of my predecessors. But I have satisfied myself with publishing a few of the most curious among them, to which I found it necessary to appeal as vouchers for my own veracity. None of these, as far as I can recollect, ever appeared in any former collection.

I have added *a Critical Dissertation concerning the Murder of King Henry, and the genuineness of the Queen's Letters to Bothwell*. The facts and observations which relate to Mary's letters, I owe to my friend Mr. John Davidson, one of the Clerks of the Signet, who hath examined this point with his usual acuteness and industry.

## PREFACE TO THE ELEVENTH EDITION.

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IT is now twenty-eight years since I published the History of Scotland. During that time I have been favoured by my friends with several remarks upon it; and various strictures have been made by persons, who entertained sentiments different from mine, with respect to the transactions in the reign of queen Mary. From whatever quarter information came, in whatever mode it has been communicated, I have considered it calmly and with attention. Wherever I perceived that I had erred, either in relating events, or in delineating characters, I have, without hesitation, corrected those errors.—Wherever I am satisfied that my original ideas were just and well-founded, I adhere to them; and, resting upon their conformity to evidence already produced, I enter into no discussion or controversy in order to support them. Wherever the opportunity of consulting original papers, either in print or in manuscript, to which I had not formerly access, has enabled me to throw new light upon any part of the History, I have made alterations and additions, which, I flatter myself, will be found to be of some importance.

THE  
HISTORY OF SCOTLAND.

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BOOK I.

CONTAINING A REVIEW OF THE SCOTTISH HISTORY  
PREVIOUS TO THE DEATH OF JAMES V.

The origin of nations fabulous and obscure. THE first ages of the Scottish History are dark and fabulous. Nations, as well as men, arrive at maturity by degrees, and the events which happened during their infancy or early youth, cannot be recollected, and deserve not to be remembered. The gross ignorance which anciently covered all the north of Europe, the continual migrations of its inhabitants, and the frequent and destructive revolutions which these occasioned, render it impossible to give any authentic account of the origin of the different kingdoms now established there. Every thing beyond that short period to which well-attested annals reach, is obscure; an immense space is left for invention to occupy; each nation, with a vanity inseparable from human nature, hath filled that void with events calculated to display its own antiquity and lustre. History, which ought to record truth and to teach wisdom, often sets out with retailing fictions and absurdities.

Origin of the Scots. The Scots carry their pretensions to antiquity as high as any of their neighbours. Relying upon uncertain legends, and the traditions of their bards, still more uncertain, they reckon up a series of kings several ages before the birth of Christ; and give a particular detail of the occurrences which happened in their reigns. But with regard to the Scots, as well as the other northern

nations, we receive the earliest accounts on which we can depend, not from their own, but from the Roman authors. When the Romans, under Agricola, first carried their arms into the northern parts of Britain, they found it possessed by the Caledonians, a fierce and warlike people; and having repulsed, rather than conquered them, they erected a strong wall between the friths of Forth and Clyde, and there fixed the boundaries of their empire. Adrian, on account of the difficulty of defending such a distant frontier, contracted the limits of the Roman province in Britain, by building a second wall, which ran between Newcastle and Carlisle. The ambition of succeeding emperors endeavoured to recover what Adrian had abandoned; and the country between the two walls was alternately under the dominion of the Romans and that of the Caledonians. About the beginning of the fifth century, the inroads of the Goths and other barbarians obliged the Romans, in order to defend the centre of their empire, to recall those legions which guarded the frontier provinces; and at that time they quitted all their conquests in Britain.

Their long residence in the island had polished, in some degree, the rude inhabitants, and the Britons were indebted to their intercourse with the Romans for the art of writing, and the use of numbers, without which it is impossible long to preserve the memory of past events.

North Britain was, by their retreat, left under the dominion of the Scots and Picts. The former, who are not mentioned by any Roman author before the end of the fourth century, were probably a colony of the Celtæ or Gauls: their affinity to whom appears from their language, their manners, and religious rites; circumstances more decisive with regard to the origin of nations, than either fabulous traditions, or the tales of ill-informed and credulous annalists. The Scots, if we may believe the common accounts, settled at first in Ireland; and, extending themselves by degrees, landed at last on the coast opposite to that island, and fixed their habitations there. Fierce and bloody wars

were, during several ages, carried on between them and the Picts. At length, Kenneth II., the sixty-ninth A. D. 838. king of the Scots (according to their own fabulous authors), obtained a complete victory over the Picts, and united under one monarchy, all the country, from the wall of Adrian to the northern ocean. The kingdom, henceforward, became known by its present name, which is derived from a people who at first settled there as strangers, and remained long obscure and inconsiderable.

History of Scotland peculiarly obscure. From this period the History of Scotland would merit some attention, were it accompanied with any certainty. But as our remote antiquities are involved in the same darkness with those of other nations, a calamity peculiar to ourselves has thrown almost an equal obscurity over our more recent transactions. This was occasioned by the malicious policy of Edward I. of England. Towards the end of the thirteenth century, this monarch called in question the independence of Scotland; pretending that the kingdom was held as a fief of the crown of England, and subjected to all the conditions of a feudal tenure. In order to establish his claim, he seized the public archives, he ransacked churches and monasteries, and getting possession, by force or fraud, of many historical monuments, which tended to prove the antiquity or freedom of the kingdom, he carried some of them into England, and commanded the rest to be burned.<sup>a</sup> A universal oblivion of past transactions might have been the effect of this fatal event, but some imperfect chronicles had escaped the rage of Edward; foreign writers had recorded some important facts relating to Scotland; and the traditions concerning recent occurrences were fresh and worthy of credit. These broken fragments John de Fordun, who lived in the fourteenth century, collected with a pious industry, and from them gleaned materials which he formed into a regular history. His work was received by his countrymen with applause: and, as no recourse could be had to more ancient records, it supplied the place of the authentic an-

<sup>a</sup> Innes, Essay 552.

nals of the kingdom. It was copied in many monasteries, and the thread of the narrative was continued by different monks through the subsequent reigns. In the beginning of the sixteenth century, John Major and Hector Boethius published their histories of Scotland; the former a succinct and dry writer, the latter a copious and florid one, and both equally credulous. Not many years after, Buchanan undertook the same work; and if his accuracy and impartiality had been, in any degree, equal to the elegance of his taste, and to the purity and vigour of his style, his history might be placed on a level with the most admired compositions of the ancients. But, instead of rejecting the improbable tales of chronicle-writers, he was at the utmost pains to adorn them; and hath clothed, with all the beauties and graces of fiction, those legends which formerly had only its wildness and extravagance.

Four remarkable eras in the Scottish history. The history of Scotland may properly be divided into four periods. The first reaches from the origin of the monarchy to the reign of Kenneth II. The second, from Kenneth's conquest of the Picts to the death of Alexander III. The third extends to the death of James V. The last, from thence to the accession of James VI. to the crown of England.

The first period is the region of pure fable and conjecture, and ought to be totally neglected, or abandoned to the industry and credulity of antiquaries. Truth begins to dawn in the second period, with a light, feeble at first, but gradually increasing; and the events which then happened may be slightly touched, but merit no particular or laborious inquiry. In the third period, the History of Scotland, chiefly by means of records preserved in England, becomes more authentic: not only are events related, but their causes and effects explained; the characters of the actors are displayed; the manners of the age described; the revolutions in the constitution pointed out: and here every Scotsman should begin not to read only, but to study the history of his country. During the fourth period, the affairs of Scotland were so mingled with those of



other nations, its situation in the political state of Europe was so important, its influence on the operations of the neighbouring kingdoms was so visible, that its history becomes an object of attention to foreigners; and without some knowledge of the various and extraordinary revolutions which happened there, they cannot form a just notion with respect either to the most illustrious events, or to the characters of the most distinguished personages, in the sixteenth century.

A review of the third era. The following History is confined to the last of these periods: to give a view of the political state of the kingdom during that which immediately preceded it, is the design of this preliminary Book. The imperfect knowledge which strangers have of the affairs of Scotland, and the prejudices Scotsmen themselves have imbibed with regard to the various revolutions in the government of their country, render such an introduction equally necessary to both.

The period from the death of Alexander III. to the death of James V. contains upwards of two centuries and a half, from the year 1286 to the year 1542.

Rise of the controversy concerning the independence of Scotland. It opens with the famous controversy concerning the independence of Scotland. Before the union of the two kingdoms, this was a question of much importance. If the one crown had been considered not as imperial and independent, but as feudatory to the other, a treaty of union could not have been concluded on equal terms, and every advantage which the dependent kingdom procured, must have been deemed the concession of a sovereign to his vassal. Accordingly, about the beginning of the present century, and while a treaty of union between the two kingdoms was negotiating, this controversy was agitated with all the heat which national animosities naturally inspire. What was then the subject of serious concern, the union of the two kingdoms has rendered a matter of mere curiosity. But though the objects which at that time warmed and interested both nations exist no longer, a question which appeared so mo-

mentous to our ancestors cannot be altogether indifferent or uninstructional to us.

Some of the northern counties of England were early in the hands of the Scottish kings, who, as far back as the feudal customs can be traced, held these possessions of the kings of England, and did homage to them on that account. This homage, due only for the territories which they held in England, was in nowise derogatory from their royal dignity. Nothing is more suitable to feudal ideas, than that the same person should be both a lord and a vassal, independent in one capacity, and dependent in another.<sup>b</sup> The crown of England was, without doubt, imperial and independent, though the princes who wore it were, for many ages, the vassals of the kings of France; and, in consequence of their possessions in that kingdom, bound to perform all the services which a feudal sovereign has a title to exact. The same was the condition of the monarchs of Scotland; free and independent as kings of their own country, but, as possessing English territories, vassals to the king of England. The English monarchs, satisfied with their legal and uncontroverted rights, were, during a long period, neither capable, nor had any thoughts of usurping more. England, when conquered by the Saxons, being divided by them into many small kingdoms, was in no condition to extend its dominion over Scotland, united at that time under one monarch. And though these petty principalities were gradually formed into one kingdom, the reigning princes, exposed to continual invasions of the Danes, and often subjected to the yoke of those formidable pirates, seldom turned their arms towards Scotland, and were little able to establish new rights in that country. The first kings of the Norman race, busied with introduc-

<sup>b</sup> A very singular proof of this occurs in the French history. Arpin sold the vicomté of the city of Bourges to Philip I. who did homage to the count of Sancerre for a part of these lands, which he held of that nobleman, A. D. 1100. I believe that no example, of a king's doing homage to one of his own subjects, is to be met with in the histories either of England or Scotland. Philip le Bel abolished this practice in France, A. D. 1302. *Henault Abregé Chronol.* Somewhat similar to this, is a charter of the abbot of Melross, A. D. 1535, constituting James V. the bailiff or steward of that abbey, vesting in him all the powers which pertained to that office, and requiring him to be answerable to the abbot for his exercise of the same. *Archiv. publ. Edin.*

ing their own laws and manners into the kingdom which they had conquered, or with maintaining themselves on the throne which some of them possessed by a very dubious title, were as little solicitous to acquire new authority, or to form new pretensions in Scotland. An unexpected calamity that befel one of the Scottish kings first encouraged the English to think of bringing his kingdom under dependence. William, surnamed the Lion, being taken prisoner at Alnwick, Henry II., as the price of his liberty, not only extorted from him an exorbitant ransom, and a promise to surrender the places of greatest strength in his dominions, but compelled him to do homage for his whole kingdom. Richard I., a generous prince, solemnly renounced this claim of homage, and absolved William from the hard conditions which Henry had imposed. Upon the death of Alexander III., near a century after, Edward I., availing himself of the situation of affairs in Scotland, acquired an influence in that kingdom, which no English monarch before him ever possessed, and imitating the interested policy of Henry, rather than the magnanimity of Richard, revived the claim of sovereignty to which the former had pretended.

Pretensions of Bruce and Baliol examined. Margaret of Norway, grand-daughter of Alexander, and heir to his crown, did not long survive him. The right of succession belonged to the descendants of David earl of Huntingdon, third son of king David I. Among these, Robert Bruce and John Baliol, two illustrious competitors for the crown, appeared. Bruce was the son of Isabel, earl David's second daughter; Baliol, the grandson of Margaret the eldest daughter. According to the rules of succession which are now established, the right of Baliol was preferable; and, notwithstanding Bruce's plea of being nearer in blood to earl David, Baliol's claim, as the representative of his mother and grandmother, would be deemed incontestable. But in that age the order of succession was not ascertained with the same precision. The question appeared to be no less intricate than it was important. Though the prejudices of

the people, and perhaps the laws of the kingdom, favoured Bruce, each of the rivals was supported by a powerful faction. Arms alone, it was feared, must terminate a dispute too weighty for the laws to decide. But, in order to avoid the miseries of a civil war, Edward was chosen umpire, and both parties agreed to acquiesce in his decree. This had well nigh proved fatal to the independence of Scotland; and the nation, by its eagerness to guard against a civil war, was not only exposed to that calamity, but almost subjected to a foreign yoke. Edward was artful, brave, enterprising, and commanded a powerful and martial people, at peace with the whole world. The anarchy which prevailed in Scotland, and the ambition of competitors ready to sacrifice their country in order to obtain even a dependent crown, invited him first to seize, and then to subject the kingdom. The authority of an umpire, which had been unwarily bestowed upon him, and from which the Scots dreaded no dangerous consequences, enabled him to execute his schemes with the greater facility. Under pretence of examining the question with the utmost solemnity, he summoned all the Scottish barons to Norham, and having gained some and intimidated others, he prevailed on all who were present, not excepting Bruce and Baliol, the competitors, to acknowledge Scotland to be a fief of the English crown, and to swear fealty to him as their *sovereign* or *liege lord*. This step led to another still more important. As it was vain to pronounce a sentence which he had not power to execute, Edward demanded possession of the kingdom, that he might be able to deliver it to him whose right should be found preferable; and such was the pusillanimity of the nobles, and the impatient ambition of the competitors, that both assented to this strange demand, and Gilbert de Umfraville, earl of Angus, was the only man who refused to surrender the castles in his custody to the enemy of his country. Edward, finding Baliol the most obsequious and the least formidable of the two competitors, soon after gave judgment in his favour. Baliol once more professed himself the vassal

of England, and submitted to every condition which the sovereign whom he had now acknowledged was pleased to prescribe.

Edward, having thus placed a creature of his own upon the throne of Scotland, and compelled the nobles to renounce the ancient liberties and independence of their country, had reason to conclude that his dominion was now fully established. But he began too soon to assume the master ; his new vassals, fierce and independent, bore with impatience a yoke, to which they were not accustomed. Provoked by his haughtiness, even the passive spirit of Baliol began to mutiny. But Edward, who had no longer use for such a pageant king, forced him to resign the crown, and openly attempted to seize it as fallen to himself by the rebellion of his vassal. At that critical period arose Sir William Wallace, a hero, to whom the fond admiration of his countrymen hath ascribed many fabulous acts of prowess, though his real valour, as well as integrity and wisdom, are such as need not the heightenings of fiction. He, almost single, ventured to take arms in defence of the kingdom, and his boldness revived the spirit of his countrymen. At last, Robert Bruce, the grandson of him who stood in competition with Baliol, appeared to assert his own rights, and to vindicate the honour of his country. The nobles, ashamed of their former baseness, and enraged at the many indignities offered to the nation, crowded to his standard. In order to crush him at once, the English monarch entered Scotland at the head of a mighty army. Many battles were fought, and the Scots, though often vanquished, were not subdued. The ardent zeal with which the nobles contended for the independence of the kingdom, the prudent valour of Bruce, and, above all, a national enthusiasm inspired by such a cause, baffled the repeated efforts of Edward, and counterbalanced all the advantages which he derived from the number and wealth of his subjects. Though the war continued with little intermission upwards of seventy years, Bruce and his posterity kept possession of the throne of Scotland, and

reigned with an authority not inferior to that of its former monarchs.

But while the sword, the ultimate judge of all disputes between contending nations, was employed to terminate this controversy, neither Edward nor the Scots seemed to distrust the justice of their cause; and both appealed to history and records, and from these produced, in their own favour, such evidence as they pretended to be unanswerable. The letters and memorials addressed by each party to the pope, who was then revered as the common father, and often appealed to as the common judge, of all Christian princes, are still extant. The fabulous tales of early British history; the partial testimony of ignorant chroniclers; supposititious treaties and charters; are the proofs on which Edward founded his title to the sovereignty of Scotland; and the homage done by the Scottish monarchs for their lands in England, is preposterously supposed to imply the subjection of their whole kingdom.<sup>c</sup> Ill-founded, however, as their right was, the English did not fail to revive it, in all the subsequent quarrels between the two kingdoms; while the Scots disclaimed it with the utmost indignation. To this we must impute the fierce and implacable hatred to each other, which long inflamed both. Their national antipathies were excited, not only by the usual circumstances of frequent hostilities and reciprocal injuries, but the English considered the Scots as vassals who had presumed to rebel, and the Scots, in their turn, regarded the English as usurpers who aimed at enslaving their country.

1306. At the time when Robert Bruce began his reign in Scotland, the same form of government was established in all the kingdoms of Europe. This surprising similarity in their constitution and laws demonstrates that the nations which overturned the Roman empire, and erected these kingdoms, though divided into different tribes, and distinguished by different names, were either derived originally from the same source,

State of the kingdom when Bruce began his reign.

<sup>c</sup> Anderson's Historical Essay concerning the Independency, &c.

or had been placed in similar situations. When we take a view of the feudal system of laws and policy, that stupendous and singular fabric erected by them, the first object that strikes us is the king. And when we are told that he is the sole proprietor of all the lands within his dominions, that all his subjects derive their possessions from him, and in return consecrate their lives to his service; when we hear that all marks of distinction, and titles of dignity, flow from him as the only fountain of honour; when we behold the most potent peers, on their bended knees, and with folded hands, swearing fealty at his feet, and acknowledging him to be their *sovereign* and their *liege lord*; we are apt to pronounce him powerful, nay, an absolute monarch. No conclusion, however, would be more rash, or worse founded. The genius of the feudal government was purely aristocratical. With all the ensigns of royalty, and with many appearances of despotic power, a feudal king was the most limited of all princes.

Origin of the feudal government, and its aristocratical genius. Before they sallied out of their own habitations to conquer the world, many of the northern nations seemed not to have been subject to the government of kings;<sup>d</sup> and even where monarchical government was established, the prince possessed but little authority. A general, rather than a king, his military command was extensive, his civil jurisdiction almost nothing.<sup>e</sup> The army which he led was not composed of soldiers, who could be compelled to serve, but of such as voluntarily followed his standard.<sup>f</sup> These conquered not for their leader, but for themselves; and being free in their own country, renounced not their liberty when they acquired new settlements. They did not exterminate the ancient inhabitants of the countries which they subdued, but seizing the greater part of their lands, they took their persons under protection. The difficulty of maintaining a new conquest, as well as the danger of being attacked by new invaders, rendering it necessary to be always in a posture of defence, the form of government which they established was alto-

<sup>d</sup> Cæs. lib. vi. c. 23.<sup>e</sup> Tacit. de Mor. Germ. c. 7. 11,<sup>f</sup> Cæs. ibid.

gether military, and nearly resembled that to which they had been accustomed in their native country. Their general still continuing to be the head of the colony, part of the conquered lands were allotted to him; the remainder, under the name of *beneficia* or *fiefs*, was divided among his principal officers. As the common safety required that these officers should, upon all occasions, be ready to appear in arms, for the common defence, and should continue obedient to their general, they bound themselves to take the field, when called, and to serve him with a number of men, in proportion to the extent of their territory. These great officers again parcelled out their lands among their followers, and annexed the same condition to the grant. A feudal kingdom was properly the encampment of a great army; military ideas predominated, military subordination was established, and the possession of land was the pay which soldiers received for their personal service. In consequence of these notions, the possession of land was granted during pleasure only, and kings were elective. In other words, an officer disagreeable to his general was deprived of his pay, and the person who was most capable of conducting an army was chosen to command it. Such were the first rudiments or infancy of feudal government.

But long before the beginning of the fourteenth century, the feudal system had undergone many changes, of which the following were the most considerable. Kings, formerly elective, were then hereditary; and fiefs, granted at first during pleasure, descended from father to son, and were become perpetual. These changes, not less advantageous to the nobles than to the prince, made no alteration

General in the aristocratical spirit of the feudal constitution. The king, who at a distance seemed to be causes which limited the power of the feudal monarchs. invested with majesty and power, appears, on a nearer view, to possess almost none of those advantages which bestow on monarchs their grandeur and authority. His revenues were scanty; he had not a standing army; and the jurisdiction he possessed was circumscribed within very narrow limits.



Their re-  
venues  
were  
small.

At a time when pomp and splendour were little known, even in the palaces of kings; when the officers of the crown received scarcely any salary besides the fees and perquisites of their office; when embassies to foreign courts were rare; when armies were composed of soldiers who served without pay; it was not necessary that a king should possess a great revenue; nor did the condition of Europe, in those ages, allow its princes to be opulent. Commerce made little progress in the kingdoms where the feudal government was established. Institutions, which had no other object but to inspire a martial spirit, to train men to be soldiers, and to make arms the only honourable profession, naturally discouraged the commercial arts. The revenues arising from the taxes, imposed on the different branches of commerce, were by consequence inconsiderable; and the prince's treasury received little supply from a source, which, among a trading people, flows with such abundance, as is almost inexhaustible. A fixed tax was not levied on land; such a burden would have appeared intolerable to men who received their estates as the reward of their valour, and who considered their service in the field as a full retribution for what they possessed. The king's *demesnes*, or the portion of land which he still retained in his own hands unalienated, furnished subsistence to his court, and defrayed the ordinary expense of government.<sup>§</sup> The only stated taxes which the feudal law obliged vassals to pay to the king, or to those of whom they held their lands, were three: one when his eldest son was made a knight; another when his eldest daughter was married; and a third in order to ransom him if he should happen to be taken prisoner. Besides these, the king received the feudal casualties of the ward, marriage, &c. of his own vassals. And, on some extraordinary occasions, his subjects granted him an aid, which they distinguished by the name of a *benevolence*, in order to declare that he received it not in consequence of any right, but as a gift,

§ Craig. de Feud. lib. i. Dieg. 14. Du Cange Gloss. voc. *Dominicum*.

flowing from their good will.<sup>h</sup> All these added together, produced a revenue so scanty and precarious, as naturally incited a feudal monarch to aim at diminishing the exorbitant power and wealth of the nobility, but, instead of enabling him to carry on his schemes with full effect, kept him in continual indigence, anxiety, and dependance.

They had no standing armies. Nor could the king supply the defect of his revenues by the terror of his arms. Mercenary troops and standing armies were unknown, as long as the feudal government subsisted in vigour. Europe was peopled with soldiers. The vassals of the king, and the sub-vassals of the barons, were all obliged to carry arms. While the poverty of princes prevented them from fortifying their frontier towns, while a campaign continued but a few weeks, and while a fierce and impetuous courage was impatient to bring every quarrel to the decision of a battle, an army, without pay, and with little discipline, was sufficient for all the purposes both of the security and of the glory of the nation. Such an army, however, far from being an engine at the king's disposal, was often no less formidable to him, than to his enemies. The more warlike any people were, the more independent they became; and the same persons being both soldiers and subjects, civil privileges and immunities were the consequence of their victories, and the reward of their martial exploits. Conquerors, whom mercenary armies, under our present forms of government, often render the tyrants of their own people, as well as the scourges of mankind, were commonly, under the feudal constitution, the most indulgent of all princes to their subjects, because they stood most in need of their assistance. A prince, whom even war and victories did not render the master of his own army, possessed hardly any shadow of military power during times of peace. His disbanded soldiers mingled with his other subjects; not a single man received pay from him; many ages elapsed even before a guard was appointed to

<sup>h</sup> Du Cange voc. Auxilium.

defend his person ; and destitute of that great instrument of dominion, a standing army, the authority of the king continued always feeble, and was often contemptible.

Nor were these the only circumstances which contributed towards depressing the regal power. By the feudal system, as has been already observed, the king's judicial authority was extremely circumscribed. At first, princes seemed to have been the supreme judges of their people, and, in person, heard and determined all controversies among them. The multiplicity of causes soon made it necessary to appoint judges, who, in the king's name, decided matters that belonged to the royal jurisdiction. But the barbarians, who overran Europe, having destroyed most of the great cities, and the countries which they seized being cantoned out among powerful chiefs, who were blindly followed by numerous dependants, whom, in return, they were bound to protect from every injury ; the administration of justice was greatly interrupted, and the execution of any legal sentence became almost impracticable. Theft, rapine, murder, and disorder of all kinds, prevailed in every kingdom of Europe, to a degree almost incredible, and scarcely compatible with the subsistence of civil society. Every offender sheltered himself under the protection of some powerful chieftain, who screened him from the pursuits of justice. To apprehend, and to punish a criminal, often required the union and effort of half a kingdom.<sup>1</sup> In order to remedy these evils, many persons of distinction were intrusted with the administra-

<sup>1</sup> A remarkable instance of this occurs in the following history, so late as the year 1561. Mary, having appointed a court of justice to be held on the borders, the inhabitants of no less than eleven counties were summoned to guard the person who was to act as judge, and to enable him to enforce his decisions. The words of a proclamation, which afford such convincing proof of the feebleness of the feudal government, deserve our notice—" And because it is necessary for the execution of Her Highness' commandments and service, that her justice be well accompanied, and her authority sufficiently fortified, by the concurrence of a good power of her faithful subjects—Therefore commands and charges all and sundry Earls, Lords, Barons, Freeholders, Landed-men, and other Gentlemen, dwelling within the said counties, that they, and every one of them, with their kin, friends, servants, and household-men, well bodin in feir of war in the most substantious manner [i. e. completely armed and provided], and with twenty days' victuals, to meet and to pass forward with him to the borough of Jedburgh, and there to remain during the said space of twenty days, and to receive such direction and commands as shall be given by him to them in our Sovereign Lady's name, for quietness of the country: and to put the same in execution under the pain of losing their life, lands, and goods." Keith's Hist. of Scotland, 198.

tion of justice within their own territories. But what we may presume was, at first, only a temporary grant, or a personal privilege, the encroaching spirit of the nobles gradually converted into a right, and rendered hereditary. The lands of some were, in process of time, erected into *baronies*, those of others into *regalities*. The jurisdiction of the former was extensive; that of the latter, as the name implies, royal and almost unbounded. All causes, whether civil or criminal, were tried by judges, whom the lord of the regality appointed; and if the king's courts called any person within his territory before them, the lord of regality might put a stop to their proceedings, and by the privilege of *repledging*, remove the cause to his own court, and even punish his vassal, if he submitted to a foreign jurisdiction.<sup>k</sup> Thus almost every question, in which any person who resided on the lands of the nobles was interested, being determined by judges appointed by the nobles themselves, their vassals were hardly sensible of being, in any degree, subject to the crown. A feudal kingdom was split into many small principalities, almost independent, and held together by a feeble and commonly an imperceptible bond of union. The king was not only stripped of the authority annexed to the person of a supreme judge, but his revenue suffered no small diminution by the loss of those pecuniary emoluments, which were, in that age, due to the person who administered justice.

In the same proportion that the king sunk in power, the nobles rose towards independence. Not satisfied with having obtained a hereditary right to their fiefs, which they formerly held during pleasure, their ambition aimed at something bolder, and by introducing *entails*, endeavoured, as far as human ingenuity and invention can reach that end, to render their possessions unalienable and everlasting. As they had full power to add to the inheritance transmitted to them from their ancestors, but none to diminish it, time alone, by means of marriages, legacies, and other accidents, brought continual accessions of wealth, and of dignity; a

<sup>k</sup> Craig, lib. iii. Dieg. 7.

great family, like a river, became considerable from the length of its course, and as it rolled on, new honours and new property flowed successively into it. Whatever influence is derived from titles of honour, the feudal barons likewise possessed in an ample manner. These marks of distinction are, in their own nature, either official or personal, and being annexed to a particular charge, or bestowed by the admiration of mankind upon illustrious characters, ought to be appropriated to these. But the son, however unworthy, could not bear to be stripped of that appellation by which his father had been distinguished. His presumption claimed what his virtue did not merit; titles of honour became hereditary, and added new lustre to nobles already in possession of too much power. Something more audacious and more extravagant still remained. The supreme direction of all affairs, both civil and military, being committed to the great officers of the crown, the fame and safety of princes, as well as of their people, depended upon the fidelity and abilities of these officers. But such was the preposterous ambition of the nobles, and so successful even in their wildest attempts to aggrandize themselves, that in all the kingdoms where the feudal institutions prevailed, most of the chief offices of state were annexed to great families, and held, like fiefs, by hereditary right. A person whose undutiful behaviour rendered him odious to his prince, or whose incapacity exposed him to the contempt of the people, often held a place of power and trust of the greatest importance to both. In Scotland, the offices of lord justice general, great chamberlain, high steward, high constable, earl marshal, and high admiral, were all hereditary; and in many counties, the office of sheriff was held in the same manner.

Nobles, whose property was so extensive, and whose power was so great, could not fail of being turbulent and formidable. Nor did they want instruments for executing their boldest designs. That portion of their lands, which they parcelled out among their followers, supplied them with a numerous band of faithful and determined vassals;

causes flowing from the nature of the feudal institutions, the towns in Scotland were extremely few, and very inconsiderable. The vassals of every baron occupied a distinct portion of the kingdom, and formed a separate and almost independent society. Instead of giving aid towards reducing to obedience their seditious chieftain, or any whom he took under his protection, they were all in arms for his defence, and obstructed the operations of justice to the utmost. The prince was obliged to connive at criminals whom he could not reach; the nobles, conscious of this advantage, were not afraid to offend; and the difficulty of punishing almost assured them of impunity.

The institution of clans. III. The division of the country into clans had no small effect in rendering the nobles considerable.

The nations which overran Europe were originally divided into many small tribes; and when they came to parcel out the lands which they had conquered, it was natural for every chieftain to bestow a portion, in the first place, upon those of his own tribe or family. These all held their lands of him; and as the safety of each individual depended on the general union, these small societies clung together, and were distinguished by some common appellation, either patronimical or local, long before the introduction of surnames, or *ensigns armorial*. But when these became common, the descendants and relations of every chieftain assumed the same name and arms with him; other vassals were proud to imitate their example, and by degrees they were communicated to all those who held of the same superior. Thus clanships were formed; and in a generation or two, that consanguinity, which was, at first, in a great measure, imaginary, was believed to be real. An artificial union was converted into a natural one; men willingly followed a leader, whom they regarded both as the superior of their lands, and the chief of their blood, and served him not only with the fidelity of vassals, but with the affection of friends. In the other feudal kingdoms, we may observe such unions as we have described imperfectly formed; but in Scotland, whether they were the production

of chance, or the effect of policy, or introduced by the Irish colony above mentioned, and strengthened by carefully preserving their genealogies both genuine and fabulous, clanships were universal. Such a confederacy might be overcome, it could not be broken ; and no change of manners, or of government, has been able, in some parts of the kingdom, to dissolve associations which are founded upon prejudices so natural to the human mind. How formidable were nobles at the head of followers, who, counting that cause just and honourable which their chief approved, rushed into the field at his command, ever ready to sacrifice their lives in defence of his person or of his fame : against such men a king contended with great disadvantage ; and that cold service which money purchases, or authority extorts, was not an equal match for their ardour and zeal.

The small number of the nobles. IV. The smallness of their number may be mentioned among the causes of the grandeur of the Scottish nobles. Our annals reach not back to the first division of property in the kingdom ; but so far as we can trace the matter, the original possessions of the nobles seem to have been extensive. The ancient Thanes were the equals and the rivals of their prince. Many of the earls and barons, who succeeded them, were masters of territories no less ample. France and England, countries wide and fertile, afforded settlements to a numerous and powerful nobility. Scotland, a kingdom neither extensive nor rich, could not contain many such overgrown proprietors. But the power of an aristocracy always diminishes, in proportion to the increase of its numbers ; feeble if divided among a multitude, irresistible if centred in a few. When nobles are numerous, their operations nearly resemble those of the people ; they are roused only by what they feel, not by what they apprehend ; and submit to many arbitrary and oppressive acts, before they take arms against their sovereign. A small body, on the contrary, is more sensible, and more impatient ; quick in discerning, and prompt in repelling danger, all its motions are as sudden

as those of the other are slow. Hence proceeded the extreme jealousy with which the Scottish nobles observed their monarchs, and the fierceness with which they opposed their encroachments. Even the virtue of a prince did not render them less vigilant, or less eager to defend their rights; and Robert Bruce, notwithstanding the splendour of his victories, and the glory of his name, was upon the point of experiencing the vigour of their resistance, no less than his unpopular descendant James III. Besides this, the near alliance of the great families, by frequent intermarriages, was the natural consequence of their small number; and, as consanguinity was, in those ages, a powerful bond of union, all the kindred of a nobleman interested themselves in his quarrel, as a common cause; and every contest the king had, though with a single baron, soon drew upon him the arms of a whole confederacy.

Their  
leagues  
and com-  
binations. V. Those natural connexions, both with their equals and with their inferiors, the Scottish nobles strengthened by a device, which, if not peculiar to themselves, was at least more frequent among them than in any other nation. Even in times of profound peace, they formed associations, which, when made with their equals, were called *leagues of mutual defence*; and when with their inferiors, *bonds of manrent*. By the former, the contracting parties bound themselves mutually to assist each other, in all causes, and against all persons. By the latter, protection was stipulated on the one hand, and fidelity and personal service promised on the other.<sup>1</sup> Self-preservation, it is probable, forced men at first into these confederacies; and, while disorder and rapine were universal, while government was unsettled, and the authority of laws little known or regarded, near neighbours found it necessary to unite in this manner for their security; and the weak were obliged to court the patronage of the strong. By degrees, these associations became so many alliances offensive and defensive against the throne; and, as their obligation was held to be more sacred than any tie whatever, they gave

<sup>1</sup> Act 30. Parl. 1424. Act 43. Parl. 1555.



much umbrage to our kings, and contributed not a little to the power and independence of the nobility. In the reign of James II. William, the eighth earl of Douglas, entered into a league of this kind with the earls of Crawford, Ross, Murray, Ormond, the lords Hamilton, Balveny, and other powerful barons; and so formidable was this combination to the king, that he had recourse to a measure no less violent than unjust, in order to dissolve it.

The frequent wars with England. VI. The frequent wars between England and Scotland proved another cause of augmenting the power of the nobility. Nature has placed no barrier between the two kingdoms; a river, almost every where fordable, divides them towards the east: on the west they are separated by an imaginary line. The slender revenues of our kings prevented them from fortifying, or placing garrisons in the towns on the frontier; nor would the jealousy of their subjects have permitted such a method of defence. The barons, whose estates lay near the borders, considered themselves as bound, both in honour and in interest, to repel the enemy. The *wardenships* of the different *marches*, offices of great power and dignity, were generally bestowed on them. This gained them the leading of the warlike counties in the south; and their vassals, living in a state of perpetual hostility, or enjoying at best an insecure peace, became more inured to war than even the rest of their countrymen, and more willing to accompany their chieftain in his most hardy and dangerous enterprises. It was the valour, no less than the number of their followers, that rendered the Douglasses great. The nobles in the northern and midland counties were often dutiful and obsequious to the crown, but our monarchs always found it impracticable to subdue the mutinous and ungovernable spirit of the borderers. In all our domestic quarrels, those who could draw to their side the inhabitants of the southern counties, were almost sure of victory; and, conscious of this advantage, the lords who possessed authority there, were apt to forget the duty which they owed their sovereign, and to aspire beyond the rank of subjects.

The frequent minorities which happened in Scotland. VII. The calamities which befel our kings contributed more than any other cause to diminish the royal authority. Never was any race of monarchs so unfortunate as the Scottish. Of six successive princes, from Robert III. to James VI. not one died a natural death ; and the minorities, during that time, were longer, and more frequent, than ever happened in any other kingdom. From Robert Bruce to James VI. we reckon ten princes ; and seven of these were called to the throne while they were minors, and almost infants. Even the most regular and best established governments feel sensibly the pernicious effects of a minority, and either become languid and inactive, or are thrown into violent and unnatural convulsions. But under the imperfect and ill-adjusted system of government in Scotland, these effects were still more fatal ; the fierce and mutinous spirit of the nobles, unrestrained by the authority of a king, scorned all subjection to the delegated jurisdiction of a regent, or to the feeble commands of a minor. The royal authority was circumscribed within narrower limits than ever ; the prerogatives of the crown, naturally inconsiderable, were reduced almost to nothing ; and the aristocratical power gradually rose upon the ruins of the monarchical. Lest the personal power of a regent should enable him to act with too much vigour, the authority annexed to that office was sometimes rendered inconsiderable by being divided ; or, if a single regent was chosen, the greater nobles, and the heads of the more illustrious families, were seldom raised to that dignity. It was often conferred upon men who possessed little influence, and excited no jealousy. They, conscious of their own weakness, were obliged to overlook some irregularities, and to permit others ; and, in order to support their authority, which was destitute of real strength, they endeavoured to gain the most powerful and active barons, by granting them possessions and immunities, which raised them to still greater power. When the king himself came to assume the reins of government, he found his revenues wasted or alienated, the crown lands seized or

given away, and the nobles so accustomed to independence, that, after the struggles of a whole reign, he was seldom able to reduce them to the same state in which they had been at the beginning of his minority, or to wrest from them what they had usurped during that time. If we take a view of what happened to each of our kings, who was so unfortunate as to be placed in this situation, the truth and importance of this observation will fully appear.

Review of  
the events  
favourable  
to the no-  
bles dur-  
ing each  
minority.

David II. The minority of David II. the son of Robert Bruce, was disturbed by the pretensions of Edward Baliol, who, relying on the aid of England, and on the support of some disaffected barons among the Scots, invaded the kingdom. The success which at first attended his arms, obliged the young king to retire to France; and Baliol took possession of the throne. A small body of the nobles, however, continuing faithful to their exiled prince, drove Baliol out of Scotland; and after an absence of nine years, David returned from France, and took the government of the kingdom into his own hands. But nobles, who were thus wasting their blood and treasure in defence of the crown, had a right to the undisturbed possession of their ancient privileges; and even some title to arrogate new ones. It seems to have been a maxim in that age, that every leader might claim as his own the territory which his sword had won from the enemy. Great acquisitions were gained by the nobility in that way; and to these the gratitude and liberality of David added, by distributing among such as adhered to him, the vast possessions which fell to the crown by the forfeiture of his enemies. The family of Douglas, which began to rise above the other nobles in the reign of his father, augmented both its power and its property during his minority.

1405. James I. was seized by the English during the con-  
tinuance of a truce, and ungenerously detained a prisoner almost nineteen years. During that period, the kingdom was governed, first by his uncle Robert duke of Albany, and then by Murdo, the son of Robert. Both

these noblemen aspired to the crown ; and their unnatural ambition, if we may believe most of our historians, not only cut short the days of prince David, the king's eldest brother, but prolonged the captivity of James. They flattered themselves that they might step with less opposition into a throne, when almost vacant ; and, dreading the king's return as the extinction of their authority and the end of their hopes, they carried on the negotiations for obtaining his liberty with extreme remissness. At the same time, they neglected nothing that could either sooth or bribe the nobles to approve of their scheme. They slackened the reins of government ; they allowed the prerogative to be encroached upon ; they suffered the most irregular acts of power, and even wanton instances of oppression, to pass with impunity ; they dealt out the patrimony of the crown among those whose enmity they dreaded or whose favour they had gained ; and reduced the royal authority to a state of imbecility, from which succeeding monarchs laboured in vain to raise it.

1437. During the minority of James II. the administration of affairs, as well as the custody of the king's person, were committed to Sir William Crichton and Sir Alexander Livingston. Jealousy and discord were the effects of their conjunct authority, and each of them, in order to strengthen himself, bestowed new power and privileges upon the great men whose aid he courted ; while the young earl of Douglas, encouraged by their divisions, erected a sort of independent principality within the kingdom ; and, forbidding his vassals to acknowledge any authority but his own, he created knights, appointed a privy-council, named officers civil and military, assumed every ensign of royalty but the title of king, and appeared in public with a magnificence more than royal.

1460. Eight persons were chosen to govern the kingdom during the minority of James III. Lord Boyd, however, by seizing the person of the young king, and by the ascendant which he acquired over him, soon engrossed the whole authority. He formed the ambitious project of

raising his family to the same pitch of power and grandeur with those of the prime nobility ; and he effected it. While intent on this, he relaxed the vigour of government, and the barons became accustomed, once more, to anarchy and independence. The power, which Boyd had been at so much pains to acquire, was of no long continuance, and the fall of his family, according to the fate of favourites, was sudden and destructive ; but upon its ruins the family of Hamilton rose, which soon attained the highest rank in the kingdom.

James V. As the minority of James V. was longer, it was likewise more turbulent, than those of the preceding kings. And the contending nobles, encouraged or protected either by the king of France, or of England, formed themselves into more regular factions, and disregarded more than ever the restraints of order and authority. The French had the advantage of seeing one, devoted to their interest, raised to be regent. This was the duke of Albany, a native of France, and a grandson of James II. But Alexander lord Home, the most eminent of all the Scottish peers who survived the fatal battle of Flodden, thwarted all his measures during the first years of his administration ; and the intrigues of the queen dowager, sister of Henry VIII. rendered the latter part of it no less feeble. Though supported by French auxiliaries, the nobles despised his authority, and, regardless either of his threats or his entreaties, peremptorily refused, two several times, to enter England, to the borders of which kingdom he had led them. Provoked by these repeated instances of contempt, the regent abandoned his troublesome station, and, retiring to France, preferred the tranquillity of a private life, to an office destitute of real authority. Upon his retreat, Douglas earl of Angus became master of the king's person, and governed in his name. Many efforts were made to deprive him of his usurped authority. But the numerous vassals and friends of his family adhered to him, because he divided with them the power and emoluments of his office ; the people revered and loved the name of

Douglas; he exercised, without the title of regent, a fuller and more absolute authority than any who had enjoyed that dignity : and the ancient, but dangerous pre-eminence of the Douglasses seemed to be restored.

To these, and to many other causes, omitted or unobserved by us, did the Scottish nobility owe that exorbitant and uncommon power, of which instances occur so frequently in our history. Nothing, however, demonstrates so fully the extent of their power, as the length of its duration. Many years after the declension of the feudal system in the other kingdoms of Europe, and when the arms or policy of princes had every where shaken, or laid it in ruins, the foundations of that ancient fabric remained, in a great measure, firm and untouched in Scotland.

The power of the feudal nobles becomes intolerable to princes. The powers which the feudal institutions vested in the nobles, soon became intolerable to all the princes of Europe, who longed to possess something more than a nominal and precarious authority. Their impatience to obtain this, precipitated Henry III. of England, Edward II., and some other weak princes, into rash and premature attempts against the privileges of the barons, in which they were disappointed or perished. Princes, of greater abilities, were content to mitigate evils which they could not cure; they sought occupation for the turbulent spirit of their nobles, in frequent wars; and allowed their fiery courage to evaporate in foreign expeditions, which, if they brought no other advantage, secured at least domestic tranquillity. But time and accidents ripened the feudal governments for destruction.

The attempts to humble the nobles successful in France and in England. Towards the end of the fifteenth century, and beginning of the sixteenth, all the princes of Europe attacked, as if by concert, the power of their nobles. Men of genius then undertook, with success, what their unskilful predecessors had attempted in vain. Lewis XI. of France, the most profound and the most adventurous genius of that age, began, and in a single reign almost completed, the scheme of their destruction. The sure but concealed policy of Henry VII. of England produced the

same effect. The means, indeed, employed by these monarchs were very different. The blow which Lewis struck was sudden and fatal. The artifices of Henry resembled those slow poisons, which waste the constitution, but become not mortal till some distant period. Nor did they produce consequences less opposite. Lewis boldly added to the crown whatever he wrested from the nobles. Henry undermined his barons, by encouraging them to sell their lands, which enriched the commons, and gave them a weight in the legislature unknown to their predecessors.

But the nobles continue to gather strength in Scotland. But while these great revolutions were carrying on in two kingdoms with which Scotland was intimately connected, little alteration happened there; our kings could neither extend their own prerogative, nor enable the commons to encroach upon the aristocracy; the nobles not only retained most of their ancient privileges and possessions, but continued to make new acquisitions.

Our kings endeavour to extend the royal authority. This was not owing to the inattention of our princes, or to their want of ambition. They were abundantly sensible of the exorbitant power of the nobility, and extremely solicitous to humble that order.

They did not, however, possess means sufficient for accomplishing this end. The resources of our monarchs were few, and the progress which they made was of course inconsiderable. But as the number of their followers, and the extent of their jurisdiction, were the two chief circumstances which rendered the nobles formidable; in order to counterbalance the one, and to restrain the other, all our kings had recourse to nearly the same expedients.

Encourage discord among the nobles. I. Among nobles of a fierce courage, and of unpolished manners, surrounded with vassals bold and licentious, whom they were bound by interest and honour to protect, the causes of discord were many and unavoidable. As the contending parties could seldom agree in acknowledging the authority of any common superior or judge, and their impatient spirit would seldom

wait the slow decisions of justice, their quarrels were usually terminated by the sword. The offended baron assembled his vassals, and wasted the lands, or shed the blood, of his enemies. To forgive an injury was mean; to forbear revenge, infamous or cowardly.<sup>m</sup> Hence quarrels were transmitted from father to son, and under the name of *deadly feuds*, subsisted for many generations with unmitigated rancour. It was the interest of the crown to foment rather than to extinguish these quarrels; and by scattering or cherishing the seeds of discord among the nobles, that union, which would have rendered the aristocracy invincible, and which must at once have annihilated the prerogative, was effectually prevented. To the same cause, our kings were indebted for the success with which they sometimes attacked the most powerful chieftains. They employed private revenge to aid the impotence of public laws, and, arming against the person who had incurred their displeasure those rival families which wished his fall, they rewarded their service by sharing among them the spoils of the vanquished. But this expedient, though it served to humble individuals, did not weaken the body of the nobility. Those who were now the instruments of their prince's vengeance became, in a short time, the objects of his fear. Having acquired power and wealth by serving the crown, they, in their turn, set up for independence; and though there might be a fluctuation of power and of property; though old families fell, and new ones rose upon their ruins; the rights of the aristocracy remained entire, and its vigour unbroken.

<sup>m</sup> The spirit of revenge was encouraged, not only by the manners, but, what is more remarkable, by the laws of those ages. If any person thought the prosecution of an injury offered to his family too troublesome, or too dangerous, the Salique laws permitted him publicly to desist from demanding vengeance; but the same laws, in order to punish his cowardice, and want of affection to his family, deprived him of the right of succession. Henault's *Abregé Chronol.* p. 81. Among the Anglo-Saxons, we find a singular institution distinguished by the name of *sodalitium*; a voluntary association, the object whereof was the personal security of those who joined in it, and which the feebleness of government at that time rendered necessary. Among other regulations, which are contained in one of these still extant, the following deserves notice: "If any associate shall either eat or drink with a person who has killed any member of the *sodalitium*, unless in the presence of the king, the bishop, or the count, and unless he can prove that he did not know the person, let him pay a great fine." Hicks's *Dissertat. Epistolar.* apud *Thesaur. Ling. Septentr.* vol. i. p. 21.



Extend the jurisdiction of the king's courts. II. As the administration of justice is one of the most powerful ties between a king and his subjects, all our monarchs were at the utmost pains to circumscribe the jurisdiction of the barons, and to extend that of the crown. The external forms of subordination, natural to the feudal system, favoured this attempt. An appeal lay from the judges and courts of the barons, to those of the king. The right, however, of judging in the first instance belonged to the nobles, and they easily found means to defeat the effects of appeals, as well as of many other feudal regulations. The royal jurisdiction was almost confined within the narrow limits of the king's demesnes, beyond which his judges claimed indeed much authority, but possessed next to none. Our kings were sensible of these limitations, and bore them with impatience. But it was impossible to overturn, in a moment, what was so deeply rooted; or to strip the nobles, at once, of privileges which they had held so long, and which were wrought almost into the frame of the feudal constitution. To accomplish this, however, was an object of uniform and anxious attention to all our princes. James I. led the way here, as well as in other instances, towards a more regular and perfect police. He made choice, among the estates of parliament, of a certain number of persons, whom he distinguished by the name of *Lords of Session*, and appointed them to hold courts for determining civil causes three times in the year, and forty days at a time, in whatever place he pleased to name. Their jurisdiction extended to all matters which formerly came under the cognizance of the king's council, and being a committee of parliament, their decisions were final. James II. obtained a law, annexing all regalities, which should be forfeited, to the crown, and declaring the right of jurisdiction to be unalienable for the future. James III. imposed severe penalties upon those judges appointed by the barons, whose decisions should be found on a review to be unjust; and, by many other regulations, endeavoured to extend the authority of his own court.<sup>a</sup> James IV.

<sup>a</sup> Act 26. P. 1469. Act 94. P. 1493. Act 99. P. 1487.

on pretence of remedying the inconveniences arising from the short terms of the court of session, appointed other judges called *Lords of Daily Council*. The *Session* was an ambulatory court, and met seldom; the *Daily Council* was fixed, and sat constantly at Edinburgh; and though not composed of members of parliament, the same powers which the lords of session enjoyed were vested in it. At last James V. erected a new court that still subsists, and which he named the *College of Justice*, the judges or *Senators* of which were called *Lords of Council and Session*. This court not only exercised the same jurisdiction which formerly belonged to the session and daily council, but new rights were added. Privileges of great importance were granted to its members, its forms were prescribed, its terms fixed, and regularity, power, and splendour, conferred upon it.<sup>o</sup> The persons constituted judges in all these different courts had, in many respects, the advantage of those who presided in the courts of the barons; they were more eminent for their skill in law, their rules of proceeding were more uniform, and their decisions more consistent. Such judicatories became the objects of confidence, and of veneration. Men willingly submitted their property to their determination, and their encroachments on the jurisdictions of the nobles were popular, and for that reason successful. By devices of a similar nature, the jurisdiction of the nobles in criminal causes was restrained, and the authority of the court of *Justiciary* extended. The crown, in this particular, gaining insensibly upon the nobles, recovered more ample authority; and the king, whose jurisdiction once resembled that of a baron, rather than that of a sovereign,<sup>p</sup> came more and more to be considered

<sup>o</sup> Keith, App. 74, &c.

<sup>p</sup> The most perfect idea of the feudal system of government may be attained by attending to the state of Germany, and to the history of France. In the former, the feudal institutions still subsist with great vigour; and though altogether abolished in the latter, the public records have been so carefully preserved, that the French lawyers and antiquaries have been enabled, with more certainty and precision than those of any other country in Europe, to trace its rise, its progress, and revolutions. In Germany, every principality may be considered as a fief, and all its great princes as vassals, holding of the emperor. They possess all the feudal privileges; their fiefs are perpetual; their jurisdictions within their own territories separate and extensive; and the great offices of the empire are all hereditary, and annexed to particular families. At the same time the emperor retains many of the prerogatives of the feudal

as the head of the community and the supreme dispenser of justice to his people. These acquisitions of our kings, however, though comparatively great, were in reality inconsiderable; and, notwithstanding all their efforts, many of the separate jurisdictions possessed by the nobles remained in great vigour; and their final abolition was reserved to a distant and more happy period.

Each of our But besides these methods of defending their prerogative and humbling the aristocracy, which may be considered as common to all our princes, we shall find, by taking a view of their reigns, that almost every one of our kings, from Robert Bruce to James V. had formed some particular system for depressing the authority of the nobles, which was the object both of their jealousy and terror. This conduct of our monarchs, if we rest satisfied with the accounts of their historians, must be considered as flowing entirely from their resentment against particular noblemen; and all their attempts to humble them must be viewed as the sallies of private passion, not as the consequences of any general plan of policy. But, though some of their actions may be imputed to those passions, though the different genius of the men, the temper of the times, and the state of the nation, necessarily occasioned great variety in their schemes; yet, without being chargeable with excessive refinement, we may affirm that their end was uniformly the same; and that the project of reducing the power of the aristocracy was uniformly the same.

monarchs. Like them, his claims and pretensions are innumerable, and his power small; his jurisdictions within his own demesnes or hereditary countries is complete; beyond the bound of these it is almost nothing; and so permanent are feudal principles, that although the feudal system be overturned in almost every particular state in Germany, and although the greater part of its princes have become absolute, the original feudal constitution of the empire still remains, and ideas peculiar to that form of government direct all its operations, and determine the rights of all its princes. Our observations with regard to the limited jurisdiction of kings under the feudal governments, are greatly illustrated by what happened in France. The feebleness and dotage of the descendants of Charlemagne encouraged the peers to usurp an independent jurisdiction. Nothing remained in the hands of the crown; all was seized by them. When Hugh Capet ascended the throne, A. D. 987, he kept possession of his private patrimony the Conté of Paris; and all the jurisdiction which the kings his successors exercised for some time, was within its territories. There were only four towns in France, where he could establish *Grand Baillis*, or royal judges; all the other lands, towns, and bailliages, belonged to the nobles. The methods to which the French monarchs had recourse for extending their jurisdiction were exactly similar to those employed by our princes. Henault's *Abregé*, p. 617, &c. *De l'Esprit des Loix*, liv. xxx. ch. 20, &c.

tocracy, sometimes avowed, and pursued with vigour; sometimes concealed, or seemingly suspended; was never altogether abandoned.

Robert Bruce. No prince was ever more indebted to his nobles than Robert Bruce. Their valour conquered the kingdom, and placed him on the throne. His gratitude and generosity bestowed on them the lands of the vanquished. Property has seldom undergone greater or more sudden revolutions, than those to which it was subject at that time in Scotland. Edward I. having forfeited the estates of most of the ancient Scottish barons, granted them to his English subjects. These were expelled by the Scots, and their lands seized by new masters. Amidst such rapid changes, confusion was unavoidable; and many possessed their lands by titles extremely defective. During one of those truces between the two nations, occasioned rather by their being weary of war than desirous of peace, Bruce formed a scheme for checking the growing power and wealth of the nobles. He summoned them to appear and to shew by what rights they held their lands. They assembled accordingly, and the question being put, they started up at once, and drew their swords, "By these," said they, "we acquired our lands, and with these we will defend them." The king, intimidated by their boldness, prudently dropped the project. But so deeply did they resent this attack upon their order, that, notwithstanding Robert's popular and splendid virtues, it occasioned a dangerous conspiracy against his life.

David II. David his son, at first an exile in France, afterward a prisoner in England, and involved in continual war with Edward III., had not leisure to attend to the internal police of his kingdom, or to think of retrenching the privileges of the nobility.

Robert II. Our historians have been more careful to relate the military than the civil transactions of the reign of Robert II. Skirmishes and inroads of little consequence they describe minutely; but with regard to every thing that happened during several years of tranquillity, they are altogether silent.

Robert III. The feeble administration of Robert III. must likewise be passed over slightly. A prince of a mean genius, and of a frail and sickly constitution, was not a fit person to enter the lists with active and martial barons, or to attempt wresting from them any of their rights.

James I. The civil transactions in Scotland are better known since the beginning of the reign of James I., and a complete series of our laws supplies the defects of our historians. The English made some amends for their injustice in detaining that prince a prisoner, by their generous care of his education. During his long residence in England, he had an opportunity of observing the feudal system in a more advanced state, and refined from many of the imperfections which still adhered to it in his own kingdom. He saw there, nobles great, but not independent; a king, powerful, though far from absolute: he saw a regular administration of government; wise laws enacted; and a nation flourishing and happy, because all ranks of men were accustomed to obey them. Full of these ideas, he returned into his native country, which presented to him a very different scene. The royal authority, never great, was now contemptible, by having been so long delegated to regents. The ancient patrimony and revenues of the crown were almost totally alienated. During his long absence the name of king was little known, and less regarded. The licence of many years had rendered the nobles independent. Universal anarchy prevailed. The weak were exposed to the rapine and oppression of the strong. In every corner some barbarous chieftain ruled at pleasure, and neither feared the king, nor pitied the people.<sup>a</sup>

James was too wise a prince to employ open force to correct such inveterate evils. Neither the men nor the

<sup>a</sup> A contemporary monkish writer describes these calamities very feelingly, in his rude Latin. "In diebus illis, non erat lex in Scotia, sed quilibet potentiorum juniorem oppressit; et totum regnum fuit unum latrocinium; homicidia, deprædationes, incendia, et cætera maleficia remanserunt impunita; et justitia relegata extra terminos regni exulavit." Chartular. Morav. apud Innes Essay, vol. i. p. 272.

times would have borne it. He applied the gentler and less offensive remedy of laws and statutes. In a parliament held immediately after his return, he gained the confidence of his people, by many wise laws, tending visibly to re-establish order, tranquillity, and justice, in the kingdom. But, at the same time that he endeavoured to secure these blessings to his subjects, he discovered his intention to recover those possessions of which the crown had been unjustly bereaved; and for that purpose obtained an act, by which he was empowered to summon such as had obtained crown lands during the three last reigns, to produce the rights by which they held them.<sup>r</sup> As this statute threatened the property of the nobles, another which passed in a subsequent parliament aimed a dreadful blow at their power. By it the leagues and combinations which we have already described, and which rendered the nobles so formidable to the crown, were declared unlawful.<sup>s</sup> Encouraged by this success in the beginning of his enterprise, James's next step was still bolder and more decisive. During the sitting of parliament, he seized, at once, his cousin Murdo duke of Albany, and his sons; the earls of Douglas, Lennox, Angus, March, and above twenty other peers and barons of prime rank. To all of them, however, he was immediately reconciled, except to Albany and his sons, and Lennox. These were tried by their peers, and condemned; for what crime is now unknown. Their execution struck the whole order with terror, and their forfeiture added considerable possessions to the crown. He seized, likewise, the earldoms of Buchan and Strathern, upon different pretexts; and that of Mar fell to him by inheritance. The patience and inactivity of the nobles, while the king was proceeding so rapidly towards aggrandizing the crown, are amazing. The only obstruction he met with was from a slight insurrection headed by the duke of Albany's youngest son, and that was easily suppressed. The splendour and presence of a king, to which the great men had been long unaccustomed, inspired re-

<sup>r</sup> Act 9. P. 1424.<sup>s</sup> Act 30. P. 1424.

verence: James was a prince of great abilities, and conducted his operations with much prudence. He was in friendship with England, and closely allied with the French king; he was adored by the people, who enjoyed unusual security and happiness under his administration; and all his acquisitions, however fatal to the body of the nobles, had been gained by attacks upon individuals; were obtained by decisions of law; and, being founded on circumstances peculiar to the persons who suffered, might excite murmurs and apprehensions, but afforded no colourable pretext for a general rebellion. It was not so with the next attempt which the king made. Encouraged by the facility with which he had hitherto advanced, he ventured upon a measure that irritated the whole body of the nobility, and which the events shew either to have been entered into with too much precipitancy, or to have been carried on with too much violence. The father of George Dunbar earl of March had taken arms against Robert III. the king's father; but that crime had been pardoned, and his lands restored by Robert duke of Albany. James, on pretext that the regent had exceeded his power, and that it was the prerogative of the king alone to pardon treason, or to alienate lands annexed to the crown, obtained a sentence, declaring the pardon to be void, and depriving Dunbar of the earldom. Many of the great men held lands by no other right than what they derived from grants of the two dukes of Albany. Such a decision, though they had reason to expect it in consequence of the statute which the king had obtained, occasioned a general alarm. Though Dunbar was, at present, the only sufferer, the precedent might be extended, and their titles to possessions which they considered as the rewards of their valour, might be subjected to the review of courts of law, whose forms of proceeding, and jurisdiction, were in a martial age little known, and extremely odious. Terror and discontent spread fast upon this discovery of the king's intentions; the common danger called on the whole order to unite, and to make one bold stand, before they

Hamilton of Cadyow, the person in whom he placed the greatest confidence, convinced of his want of genius to improve an opportunity, or of his want of courage to seize a crown, deserted him that very night. This example was followed by many; and the earl, despised or forsaken by all, was soon driven out of the kingdom, and obliged to depend for his subsistence on the friendship of the king of England. The ruin of this great family, which had so long rivalled and overawed the crown, and the terror with which such an example of unsuccessful ambition filled the nobles, secured the king, for some time, from opposition; and the royal authority remained uncontrolled and almost absolute. James did not suffer this favourable interval to pass unimproved; he procured the consent of parliament to laws more advantageous to the prerogative, and more subversive of the privileges of aristocracy, than were ever obtained by any former or subsequent monarch of Scotland.

By one of these, not only all the vast possessions of the earl of Douglas were annexed to the crown, but all prior and future alienations of crown lands were declared to be void, and the king was empowered to seize them at pleasure, without any process or form of law, and oblige the possessors to refund whatever they had received from them.<sup>t</sup> A dreadful instrument of oppression in the hands of a prince!

Another law prohibited the wardenship of the marches to be granted hereditarily; restrained, in several instances, the jurisdiction of that office; and extended the authority of the king's courts.<sup>u</sup>

By a third, it was enacted that no *regality*, or exclusive right of administering justice within a man's own lands, should be granted in time to come, without the consent of parliament;<sup>x</sup> a condition which implied almost an express prohibition. Those nobles who already possessed that great privilege, would naturally be solicitous to prevent it from becoming common, by being bestowed on many. Those who had not themselves attained it, would

<sup>t</sup> Act 41. P. 1455.

<sup>u</sup> Ibid. Act 42.

<sup>x</sup> Ibid. Act 43.



envy others the acquisition of such a flattering distinction, and both would concur in rejecting the claims of new pretenders.

By a fourth act, all new grants of hereditary offices were prohibited, and those obtained since the death of the last king were revoked.<sup>v</sup>

Each of these statutes undermined some of the great pillars on which the power of the aristocracy rested. During the remainder of his reign, this prince pursued the plan which he had begun with the utmost vigour; and had not a sudden death, occasioned by the splinter of a cannon which burst near him at the siege of Roxburgh, prevented his progress, he wanted neither genius nor courage to perfect it; and Scotland might, in all probability, have been the first kingdom in Europe which would have seen the subversion of the feudal system.

James III. James III. discovered no less eagerness than his father or grandfather to humble the nobility; but far inferior to either of them in abilities and address, he adopted a plan extremely impolitic, and his reign was disastrous, as well as his end tragical. Under the feudal governments, the nobles were not only the king's ministers, and possessed of all the great offices of power or of trust; they were likewise his companions and favourites, and hardly any but them approached his person, or were entitled to his regard. But James, who both feared and hated his nobles, kept them at an unusual distance, and bestowed every mark of confidence and affection upon a few mean persons, of professions so dishonourable, as ought to have rendered them unworthy of his presence. Shut up with these in his castle of Stirling, he seldom appeared in public, and amused himself with architecture, music, and other arts, which were then little esteemed. The nobles beheld the power and favour of these minions with indignation. Even the sanguinary measures of his father provoked them less than his neglect. Individuals alone suffered by the former; by the latter, every man thought him-

self injured, because all were contemned. Their discontent was much heightened by the king's recalling all rights to crown lands, hereditary offices, regalities, and every other concession which was detrimental to his prerogative, and which had been extorted during his minority. Combinations among themselves, secret intrigues with England, and all the usual preparatives for civil war, were the effects of their resentment. Alexander duke of Albany, and John earl of Mar, the king's brothers, two young men of turbulent and ambitious spirits, and incensed against James, who treated them with the same coldness as he did the other great men, entered deeply into all their cabals. The king detected their designs before they were ripe for execution, and seizing his two brothers, committed the duke of Albany to Edinburgh-castle. The earl of Mar, having remonstrated with too much boldness against the king's conduct, was murdered, if we may believe our historians, by his command. Albany, apprehensive of the same fate, made his escape out of the castle, and fled into France. Concern for the king's honour, or indignation at the measures, were perhaps the motives which first induced him to join the malecontents. But James's attachment to his favourites rendering him every day more odious to his nobles, the prospect of the advantages which might be derived from their general disaffection, added to the resentment which he felt on account of his brother's death, and his own injuries, soon inspired Albany with more ambitious and criminal thoughts. He concluded a treaty with Edward IV. of England, in which he assumed the name of Alexander king of Scots; and in return for the assistance which was promised him towards dethroning his brother, he bound himself, as soon as he was put in possession of the kingdom, to swear fealty and do homage to the English monarch, to renounce the ancient alliance with France, to contract a new one with England, and to surrender some of the strongest castles and most valuable counties in Scotland.\* That aid, which the duke so basely purchased at the price

\* Abercr. Mart. Atch. vol. ii. p. 443.

of his own honour, and the independence of his country, was punctually granted him, and the duke of Gloucester with a powerful army conducted him towards Scotland. The danger of a foreign invasion obliged James to implore the assistance of those nobles whom he had so long treated with contempt. Some of them were in close confederacy with the duke of Albany, and approved of all his pretensions. Others were impatient for any event which would restore their order to its ancient pre-eminence. They seemed, however, to enter with zeal into the measures of their sovereign for the defence of the kingdom against its invaders,\* and took the field, at the head of a powerful army of their followers, but with a stronger disposition to redress their own grievances than to annoy the enemy; and with a fixed resolution of punishing those minions, whose insolence they could no longer tolerate. This resolution they executed in the camp near Lauder, with a military dispatch and rigour. Having previously concerted their plan, the earls of Angus, Huntly, Lennox, followed by almost all the barons of chief note in the army, forcibly entered the apartment of their sovereign, seized all his favourites except one Ramsay, whom they could not tear from the king, in whose arms he took shelter, and, without any form of trial, hanged them instantly over a bridge. Among the most remarkable of those who had engrossed the king's affection, were Cochrane a mason, Hommil a tailor, Leonard a smith, Rogers a musician, and Torsifan a fencing-master. So despicable a retinue discovers the capriciousness of James's character, and accounts for the indignation of the nobles, when they beheld the favour, due to them, bestowed on such unworthy objects.

James had no reason to confide in an army so little under his command, and dismissing it, shut himself up in the castle of Edinburgh. After various intrigues, Albany's lands and honours were at length restored to him, and he seemed even to have regained his brother's favour, by some important services. But their friendship was not of long

\* Black Acts, fol. 65.

duration. James abandoned himself, once more, to the guidance of favourites; and the fate of those who had suffered at Lauder did not deter others from courting that dangerous pre-eminence. Albany, on pretext that an attempt had been made to take away his life by poison, fled from court, and, retiring to his castle at Dunbar, drew thither a greater number of barons than attended on the king himself. At the same time he renewed his former confederacy with Edward; the earl of Angus openly negotiated that infamous treaty; other barons were ready to concur with it; and if the sudden death of Edward had not prevented Albany's receiving aid from England, the crown of Scotland would probably have been the reward of this unworthy combination with the enemies of his country. But, instead of any hopes of reigning in Scotland, he found, upon the death of Edward, that he could not reside there in safety; and, flying first to England and then to France, he seems from that time to have taken no part in the affairs of his native country. Emboldened by his retreat, the king and his ministers multiplied the insults which they offered to the nobility. A standing guard, a thing unknown under the feudal governments, and inconsistent with the familiarity and confidence with which monarchs then lived amidst their nobles, was raised for the king's defence, and the command of it given to Ramsay, lately created earl of Bothwell, the same person who had so narrowly escaped when his companions were put to death at Lauder. As if this provocation had not been sufficient, a proclamation was issued, forbidding any person to appear in arms within the precincts of the court;<sup>b</sup> which, at a time when no man of rank left his own house without a numerous retinue of armed followers, was, in effect, debarring the nobles from all access to the king. James, at the same time, became fonder of retirement than ever, and, sunk in indolence or superstition, or attentive only to amusements, devolved his whole authority upon his favourites. So many injuries provoked the most consi-

<sup>b</sup> Ferrerius, 398.

derable nobles to take arms, and having persuaded or obliged the duke of Rothesay, the king's eldest son, a youth of fifteen, to set himself at their head, they openly declared their intention of depriving James of a crown, of which he had discovered himself to be so unworthy. Roused by this danger, the king quitted his retirement, took the field, and encountered them near Bannockburn; but the valour of the borderers, of whom the army of the malecontents was chiefly composed, soon put his troops to flight, and he himself was slain in the pursuit. Suspicion, indolence, immoderate attachment to favourites, and all the vices of a feeble mind, are visible in his whole conduct; but the character of a cruel and unrelenting tyrant seems to be unjustly affixed to him by our historians. His neglect of the nobles irritated, but did not weaken them; and their discontent, the immoderate ambition of his two brothers, and their unnatural confederacies with England, were sufficient to have disturbed a more vigorous administration, and to have rendered a prince of superior talents unhappy.

The indignation which many persons of rank expressed against the conduct of the conspirators, together with the terror of the sentence of excommunication which the pope pronounced against them, obliged them to use their victory with great moderation and humanity. Being conscious how detestable the crime of imbruing their hands in the blood of their sovereign appeared, they endeavoured to regain the good opinion of their countrymen, and to atone for the treatment of the father, by their loyalty and duty towards the son. They placed him instantly on the throne, and the whole kingdom soon united in acknowledging his authority.

James IV. James IV. was naturally generous and brave; he felt, in a high degree, all the passions which animate a young and noble mind. He loved magnificence, he delighted in war, and was eager to obtain fame. During his reign, the ancient and hereditary enmity between the king and nobles seems almost entirely to have ceased.

He envied not their splendour, because it contributed to the ornament of his court ; nor did he dread their power, which he considered as the security of his kingdom, not as an object of terror to himself. This confidence on his part met with the proper return of duty and affection on theirs ; and, in his war with England, he experienced how much a king, beloved by his nobles, is able to perform. Though the ardour of his courage, and the spirit of chivalry, rather than the prospect of any national advantage, induced him to declare war against England, such was the zeal of his subjects for the king's glory, that he was followed by as gallant an army as ever any of his ancestors had led upon English ground. But though James himself formed no scheme dangerous or detrimental to the aristocracy, his reign was distinguished by an event extremely fatal to it ; and one accidental blow humbled it more than all the premeditated attacks of preceding kings. In the rash and unfortunate battle of Flodden, a brave nobility chose rather to die than to desert their sovereign. Twelve earls, thirteen lords, five eldest sons of noblemen, and an incredible number of barons, fell with the king.<sup>c</sup> The whole body of the nobles long and sensibly felt this disaster ; and if a prince of full age had then ascended the throne, their consternation and feebleness would have afforded him advantages which no former monarch ever possessed.

James V. But James V. who succeeded his father, was an infant of a year old ; and though the office of regent was conferred upon his cousin the duke of Albany, a man of genius and enterprise, a native of France, and accustomed to a government where the power of the king was already great ; though he made many bold attempts to extend the royal authority ; though he put to death lord Home, and banished the earl of Angus, the two noblemen of greatest influence in the kingdom, the aristocracy lost no ground under his administration. A stranger to the manners, the laws, and the language of the people whom he was called to rule, he acted, on some occasions, rather like

<sup>c</sup> Aber. ii. 540.

a viceroy of the French king, than the governor of Scotland; but the nobles asserted their own privileges, and contended for the interest of their country with a boldness which convinced him of their independence, and of the impotence of his own authority. After several unsuccessful struggles, he voluntarily retired to France; and the king being then in his thirteenth year, the nobles agreed that he should assume the government, and that eight persons should be appointed to attend him by turns, and to advise and assist him in the administration of public affairs. The earl of Angus, who was one of that number, did not long remain satisfied with such divided power. He gained some of his colleagues, removed others, and intimidated the rest. When the term of his attendance expired, he still retained authority, to which all were obliged to submit, because none of them was in a condition to dispute it. The affection of the young king was the only thing wanting, to fix and perpetuate his power. But an active and high-spirited prince submitted, with great impatience, to the restraint in which he was kept. It ill suited his years, or disposition, to be confined as a prisoner within his own palace; to be treated with no respect, and to be deprived of all power. He could not, on some occasions, conceal his resentment and indignation. Angus foresaw that he had much to dread from these; and as he could not gain the king's heart, he resolved to make sure of his person. James was continually surrounded by the earl's spies and confidants; many eyes watched all his motions, and observed every step he took. But the king's eagerness to obtain liberty, eluded all their vigilance. He escaped from Falkland, and fled to the castle of Stirling, the residence of the queen his mother, and the only place of strength in the kingdom which was not in the hands of the Douglasses. The nobles, of whom some were influenced by their hatred to Angus, and others by their respect for the king, crowded to Stirling, and his court was soon filled with persons of the greatest distinction. The earl, though astonished at this unexpected revolution, resolved at first to make one bold push

for recovering his authority, by marching to Stirling, at the head of his followers; but he wanted either courage or strength to execute this resolution. In a parliament held soon after, he and his adherents were attainted, and, after escaping from many dangers, and enduring much misery, he was at length obliged to fly into England for refuge. James had now not only the name, but, though extremely young, the full authority of a king. He was inferior to no prince of that age in gracefulness of person, or in vigour of mind. His understanding was good, and his heart warm; the former capable of great improvement, and the latter susceptible of the best impressions. But, according to the usual fate of princes who are called to the throne in their infancy, his education had been neglected. His private preceptors were more ready to flatter, than to instruct him. It was the interest of those who governed the kingdom, to prevent him from knowing too much. The earl of Angus, in order to divert him from business, gave him an early taste for such pleasures as afterward occupied and engrossed him more than became a king. Accordingly, we discover in James all the features of a great but uncultivated spirit. On the one hand, violent passions, implacable resentment, an immoderate desire of power, and the utmost rage at disappointment. On the other, love to his people, zeal for the punishment of private oppressors, confidence in his favourites, and the most engaging openness and affability of behaviour.

What he himself had suffered from the exorbitant power of the nobles, led him early to imitate his predecessors in their attempts to humble them. The plan he formed for that purpose was more profound, more systematic, and pursued with greater constancy and steadiness, than that of any of his ancestors: and the influence of the events in his reign upon those of the subsequent period, render it necessary to explain his conduct at greater length, and to enter into a more minute detail of his actions. He had penetration enough to discover those defects in the schemes adopted by former kings, which occasioned their



miscarriage. The example of James I. had taught him; that wise laws operate slowly on a rude people, and that the fierce spirit of the feudal nobles was not to be subdued by these alone. The effects of the violent measures of James II. convinced him, that the oppression of one great family is apt either to excite the suspicion and resentment of the other nobles, or to enrich with its spoils some new family, which would soon adopt the same sentiments, and become equally formidable to the crown. He saw, from the fatal end of James III. that neglect was still more intolerable to the nobles than oppression, and that the ministry of new men and favourites was both dishonourable and dangerous to a prince. At the same time, he felt that the authority of the crown was not sufficient to counterbalance the power of the aristocracy, and that without some new accession of strength, he could expect no better success in the struggle than his ancestors. In this extremity, he applied himself to the clergy, hoping that they would both relish his plan, and concur, with all their influence, in enabling him to put it in execution. Under the feudal government, the church, being reckoned a third estate, had its representatives in parliament; the number of these was considerable, and they possessed great influence in that assembly. The superstition of former kings, and the zeal of many ages of ignorance, had bestowed on ecclesiastics a great proportion of the national wealth; and the authority which they acquired by the reverence of the people, was superior even to that which they derived from their riches. This powerful body, however, depended entirely on the crown. The popes, notwithstanding their attention to extend their usurpations, had neglected Scotland as a distant and poor kingdom, and permitted its kings to exercise powers which they disputed with more considerable princes. The Scottish monarchs had the sole right of nomination to vacant bishoprics and abbeys;<sup>d</sup> and James naturally concluded, that men who expected preferment from his favour, would be willing to merit it, by promoting his designs. Hap-

<sup>d</sup> Epist. Reg. Scot. i. 197, &c. Act. 125. P. 1510.

pily for him, the nobles had not yet recovered the blow which fell on their order at Flodden; and if we may judge either from their conduct, or from the character given of them by Sir Ralph Sadler, the English envoy in Scotland, they were men of little genius, of no experience in business, and incapable of acting either with unanimity or with vigour. Many of the clergy, on the other hand, were distinguished by their great abilities, and no less by their ambition. Various causes of disgust subsisted between them and the martial nobles, who were apt to view the pacific character of ecclesiastics with some degree of contempt, and who envied their power and wealth. By acting in concert with the king, they not only would gratify him, but avenge themselves, and hoped to aggrandize their own order, by depressing those who were their sole rivals. Secure of so powerful a concurrence, James ventured to proceed with greater boldness. In the first heat of resentment, he had driven the earl of Angus out of the kingdom; and, sensible that a person so far superior to the other nobles in abilities, might create many obstacles which would retard or render ineffectual all his schemes, he solemnly swore that he would never permit him to return into Scotland; and, notwithstanding the repeated solicitations of the king of England, he adhered to his vow with unrelenting obstinacy. He then proceeded to repair the fortifications of Edinburgh, Stirling, and other castles, and to fill his magazines with arms and ammunition. Having taken these precautions by way of defence, he began to treat the nobility with the utmost coldness and reserve. Those offices, which they were apt, from long possession, to consider as appropriated to their order, were now bestowed on ecclesiastics, who alone possessed the king's ear, and, together with a few gentlemen of inferior rank, to whom he had communicated his schemes, were intrusted with the management of all public affairs. These ministers were chosen with judgment; and Cardinal Beaton, who soon became the most eminent among them, was a man of superior genius. These served the king with fide-

lity; they carried on his measures with vigour, with reputation, and with success. James no longer concealed his distrust of the nobles, and suffered no opportunity of mortifying them to escape. Slight offences were aggravated into real crimes, and punished with severity. Every accusation against persons of rank was heard with pleasure, every appearance of guilt was examined with rigour, and every trial proved fatal to those who were accused: the banishing Hepburn earl of Bothwell for reasons extremely frivolous, beheading the eldest son of lord Forbes without sufficient evidence of his guilt, and the condemning lady Glamis, a sister of the earl of Angus, to be burnt for the crime of witchcraft, of which even that credulous age believed her innocent, are monuments both of the king's hatred of the nobility, of the severity of his government, and of the stretches he made towards absolute power. By these acts of authority, he tried the spirit of the nobles, and how much they were willing to bear. Their patience increased his contempt for them, and added to the ardour and boldness with which he pursued his plan. Meanwhile they observed the tendency of his schemes with concern, and with resentment; but the king's sagacity, the vigilance of his ministers, and the want of a proper leader, made it dangerous to concert any measures for their defence, and impossible to act with becoming vigour. James and his counsellors, by a false step which they took, presented to them, at length, an advantage which they did not fail to improve.

Motives, which are well known, had prompted Henry VIII. to disclaim the pope's authority, and to seize the revenues of the regular clergy. His system of reformation satisfied none of his subjects. Some were enraged because he had proceeded so far, others murmured because he proceeded no farther. By his imperious temper, and alternate persecutions of the zealots for Popery, and the converts to the Protestant opinions, he was equally formidable to both. Henry was afraid this general dissatisfaction of his people might encourage his enemies on the continent to

invade his kingdom. He knew that both the pope and the emperor courted the friendship of the king of Scots, and endeavoured to engage him in an alliance against England. He resolved, therefore, to disappoint the effects of their negotiations, by entering into a closer union with his nephew. In order to accomplish this, he transmitted to James an elaborate memorial, representing the numerous encroachments of the see of Rome upon the rights of sovereigns;<sup>e</sup> and that he might induce him more certainly to adopt the same measures for abolishing papal usurpation, which had proved so efficacious in England, he sent ambassadors into Scotland, to propose a personal interview with him at York. It was plainly James's interest to accept this invitation; the assistance of so powerful an ally, the high honours which were promised him, and the liberal subsidies he might have obtained, would have added no little dignity to his domestic government, and must have facilitated the execution of his favourite plan. On the other hand, a war with England, which he had reason to apprehend if he rejected Henry's offers of friendship, was inconsistent with all his views. This would bring him to depend on his barons; an army could not be raised without their assistance: to call nobles incensed against their prince into the field, was to unite his enemies, and to make them sensible of their own strength, and to afford them an opportunity of revenging their wrongs. James, who was not ignorant that all these consequences might follow a breach with England, listened at first to Henry's proposal, and consented to the interview at York. But the clergy dreaded a union, which must have been established on the ruins of the church. Henry had taken great pains to infuse into his nephew his own sentiments concerning religion, and had frequently solicited him, by ambassadors, to renounce the usurped dominion of the pope, which was no less dishonourable to princes than grievous to their subjects. The clergy had hitherto, with great address, diverted the king from regarding these solicitations. But in

<sup>e</sup> *Stripe, Eccles. Mem. 1. App. 155.*

an amicable conference, Henry expected, and they feared, that James would yield to his entreaties, or be convinced by his arguments. They knew that the revenues of the church were an alluring object to a prince who wanted money, and who loved it; that the pride and ambition of ecclesiastics raised the indignation of the nobles; that their indecent lives gave offence to the people; that the Protestant opinions were spreading fast throughout the nation; and that a universal defection from the established church would be the consequence of giving the smallest degree of encouragement to these principles. For these reasons, they employed all their credit with the king, and had recourse to every artifice and insinuation, in order to divert him from a journey, which must have been so fatal to their interest. They endeavoured to inspire him with fear, by magnifying the danger to which he would expose his person by venturing so far into England, without any security but the word of a prince, who, having violated every thing venerable and sacred in religion, was no longer to be trusted; and by way of compensation for the sums which he might have received from Henry, they offered an annual donative of fifty thousand crowns; they promised to contribute liberally towards carrying on a war with England, and flattered him with the prospect of immense riches, arising from the forfeiture of persons who were to be tried and condemned as heretics. Influenced by these considerations, James broke his agreement with Henry, who, in expectation of meeting him, had already come to York; and that haughty and impatient monarch resented the affront, by declaring war against Scotland. His army was soon ready to invade the kingdom. James was obliged to have recourse to the nobles, for the defence of his dominions. At his command, they assembled their followers, but with the same dispositions which had animated their ancestors in the reign of James III., and with a full resolution of imitating their example, by punishing those to whom they imputed the grievances of which they had reason to complain; and if the king's ministers had not

been men of abilities, superior to those of James III., and of considerable interest even with their enemies, who could not agree among themselves what victims to sacrifice, the camp of Fala would have been as remarkable as that of Lauder, for the daring encroachments of the nobility on the prerogative of the prince. But though his ministers were saved by this accident, the nobles had soon another opportunity of discovering to the king their dissatisfaction with his government, and their contempt of his authority. Scarcity of provisions, and the rigour of the season, having obliged the English army, which had invaded Scotland, to retire, James imagined, that he could attack them, with great advantage, in their retreat; but the principal barons, with an obstinacy and disdain which greatly aggravated their disobedience, refused to advance a step beyond the limits of their own country. Provoked by this insult to himself, and suspicious of a new conspiracy against his ministers, the king instantly disbanded an army which paid so little regard to his orders, and returned abruptly into the heart of the kingdom.

An ambitious and high-spirited prince could not brook such a mortifying affront. His hopes of success had been rash, and his despair upon a disappointment was excessive. He felt himself engaged in an unnecessary war with England, which, instead of yielding him the laurels and triumphs that he expected, had begun with such circumstances, as encouraged the insolence of his subjects, and exposed him to the scorn of his enemies. He saw how vain and ineffectual all his projects to humble the nobles had been, and that, though in times of peace, a prince may endeavour to depress them, they will rise, during war, to their former importance and dignity. Impatience, resentment, indignation, filled his bosom by turns. The violence of these passions altered his temper, and, perhaps, impaired his reason. He became pensive, sullen, and retired. He seemed, through the day, to be swallowed up in profound meditation, and, through the night, he was disturbed with those visionary terrors which make impression upon a weak

understanding only, or a disordered fancy. In order to revive the king's spirits, an inroad on the western borders was concerted by his ministers, who prevailed upon the barons in the neighbouring provinces to raise as many troops as were thought necessary, and to enter the enemy's country. But nothing could remove the king's aversion to his nobility, or diminish his jealousy of their power. He would not even intrust them with the command of the forces which they had assembled; that was reserved for Oliver Sinclair, his favourite, who no sooner appeared to take possession of the dignity conferred upon him, than rage and indignation occasioned a universal mutiny in the army. Five hundred English, who happened to be drawn up in sight, attacked the Scots in this disorder. Hatred to the king, and contempt of their general, produced an effect to which there is no parallel in history. They overcame the fear of death and the love of liberty; and ten thousand men fled before a number so far inferior, without striking a single blow. No man was desirous of a victory which would have been acceptable to the king, and to his favourite; few endeavoured to save themselves by flight; the English had the choice of what prisoners they pleased to take; and almost every person of distinction, who was engaged in the expedition, remained in their hands.<sup>f</sup> This astonishing event was a new proof to the king of the general disaffection of the nobility, and a new discovery of his own weakness and want of authority. Incapable of bearing these repeated insults, he found himself unable to revenge them. The deepest melancholy and despair succeeded to the furious transports of rage, which the first account of the rout of his army occasioned. All the violent passions, which are the enemies of life, preyed upon his mind, and wasted and consumed a youthful and vigorous constitution. Some authors of that age impute his untimely death to poison; but the diseases of the mind, when

<sup>f</sup> According to an account of this event in the Hamilton MSS. about thirty were killed, above a thousand were taken prisoners; and among them, a hundred and fifty persons of condition. Vol. ii. 286. The small number of the English prevented their taking more prisoners.

they rise to a height, are often mortal; and the known effects of disappointment, anger, and resentment, upon a sanguine and impetuous temper, sufficiently account for his unhappy fate. "His death (says Drummond) proveth his mind to have been raised to a high strain, and above mediocrity; he could die, but could not digest a disaster." Had James survived this misfortune, one of two things must have happened: either the violence of his temper would have engaged him openly to attack the nobles, who would have found in Henry a willing and powerful protector, and have derived the same assistance from him, which the malcontents, in the succeeding reign, did from his daughter Elizabeth; in that case a dangerous civil war must have been the certain consequence. Or, perhaps, necessity might have obliged him to accept of Henry's offers, and be reconciled to his nobility. In that event the church would have fallen a sacrifice to their union; a reformation, upon Henry's plan, would have been established by law; a great part of the temporalities of the church would have been seized; and the friendship of the king and barons would have been cemented by dividing its spoils.

Such were the efforts of our kings towards reducing the exorbitant power of the nobles. If they were not attended with success, we must not, for that reason, conclude, that they were not conducted with prudence. Every circumstance seems to have combined against the crown. Accidental events concurred with political causes, in rendering the best concerted measures abortive. The assassination of one king, the sudden death of another, and the fatal despair of a third, contributed no less than its own natural strength, to preserve the aristocracy from ruin.

The extraordinary influence of the Scottish kings in parliament. Amidst these struggles, the influence which our kings possessed in their parliaments, is a circumstance seemingly inexplicable, and which merits particular attention. As these assemblies were composed chiefly of the nobles, they, we are apt to imagine, must have dictated all their decisions; but, instead of this, every king found them obsequious to his will,



and obtained such laws, as he deemed necessary for extending his authority. All things were conducted there with dispatch and unanimity; and, in none of our historians, do we find an instance of any opposition formed against the court in parliament, or mention of any difficulty in carrying through the measures which were agreeable to the king. In order to account for this singular fact, it is necessary to inquire into the origin and constitution of parliament.

The rea-  
sons of it. The genius of the feudal government, uniform in all its operations, produced the same effects in small, as in great societies; and the territory of a baron was, in miniature, the model of a kingdom. He possessed the right of jurisdiction, but those who depended on him being free men, and not, slaves, could be tried by their peers only; and, therefore, his vassals were bound to attend his courts, and to assist both in passing and executing his sentences. When assembled on these occasions, they established, by mutual consent, such regulations as tended to the welfare of their small society; and often granted, voluntarily, such supplies to their *Superior*, as his necessities required. Change now a single name; in place of baron, substitute king, and we behold a parliament in its first rudiments, and observe the first exertions of those powers, which its members now possess as judges, as legislators, and as dispensers of the public revenues. Suitable to this idea, are the appellations of the *King's Court*,<sup>s</sup> and of the *King's Great Council*, by which parliaments were anciently distinguished; and suitable to this, likewise, were the constituent members of which it was composed. In all the feudal kingdoms, such as held of the king *in chief* were bound, by the condition of their tenure, to attend and to assist in his courts. Nor was this esteemed a privilege, but a service.<sup>h</sup> It was exacted likewise of bishops, abbots, and the greater ecclesiastics, who, holding vast possessions of the crown, were deemed subject to the same burden. Parlia-

<sup>s</sup> Du Cange, Voc. Curia.

<sup>h</sup> Du Cange, Voc. Placitum, col. 519. Magna Charta, art. 14.  
Act. Jac. I. 1425. cap. 52.

ments did not continue long in this state. Cities gradually acquired wealth, a considerable share of the public taxes were levied on them, the inhabitants grew into estimation, and, being enfranchised by the sovereign, a place in parliament was the consequence of their liberty, and of their importance. But as it would have been absurd to confer such a privilege, or to impose such a burden, on a whole community, every borough was permitted to choose one or two of its citizens to appear in the name of the corporation; and the idea of *representation* was first introduced in this manner. An innovation, still more important, naturally followed. The vassals of the crown were originally few in number, and extremely powerful; but as it is impossible to render property fixed and permanent, many of their possessions came, gradually, and by various methods of alienation, to be split and parcelled out into different hands. Hence arose the distinction between the *greater* and the *lesser barons*. The former were those who retained their original fiefs undivided, the latter were the new and less potent vassals of the crown. Both were bound, however, to perform all feudal services, and, of consequence, to give attendance in parliament. To the lesser barons, who formed no considerable body, this was an intolerable grievance. Barons sometimes denied their tenure, boroughs renounced their right of electing, charters were obtained containing an exemption from attendance; and the anxiety with which our ancestors endeavoured to get free from the obligation of sitting in parliament, is surpassed by that only with which their posterity solicit to be admitted there. In order to accommodate both parties at once, to secure to the king a sufficient number of members in his great council, and to save his vassals from an unnecessary burden, an easy expedient was found out. The obligation to personal attendance was continued upon the greater barons, from which the lesser barons were exempted, on condition of their electing, in each county, a certain number of *representatives*, to appear in their name. Thus a parliament became complete in all its members, and was composed of lords

spiritual and temporal, of knights of the shires, and of burgesses. As many causes contributed to bring government earlier to perfection in England than in Scotland; as the rigour of the feudal institutions abated sooner, and its defects were supplied with greater facility in the one kingdom than in the other, England led the way in all these changes, and burgesses and knights of the shire appeared in the parliaments of that nation, before they were heard of in ours. Burgesses were first admitted into the Scottish

A.D. 1326. parliaments by Robert Bruce;<sup>1</sup> and in the preamble to the laws of Robert III., they are ranked among the constituent members of that assembly. The

1427. lesser barons were indebted to James I. for a statute exempting them from personal attendance, and permitting them to elect representatives: the exemption was eagerly laid hold on; but the privilege was so little valued, that except one or two instances, it lay neglected during one hundred and sixty years; and James VI. first obliged them to send representatives regularly to parliament.<sup>k</sup>

A Scottish parliament, then, consisted anciently of great barons, of ecclesiastics, and a few representatives of boroughs. Nor were these divided, as in England, into two houses, but composed one assembly, in which the lord chancellor presided.<sup>1</sup> In rude ages, when the science of government was extremely imperfect among a martial people, unacquainted with the arts of peace, strangers to the talents which make a figure in debate, and despising them, parliaments were not held in the same estimation as at present; nor did haughty barons love those courts, in which they

<sup>1</sup> Abercromby, i. 635.

<sup>k</sup> Essays on Brit. Antiq. Ess. II. Dalrymp. Hist. of Feud. Prop. ch. 8.

<sup>1</sup> In England, the peers and commons seem early to have met in separate houses; and James I., who was fond of imitating the English in all their customs, had probably an intention of introducing some considerable distinction between the greater and lesser barons in Scotland; at least he determined that their consultations should not be carried on under the direction of the same president; for by his law, A. D. 1327, it is provided, "that out of the commissioners of all the shires shall be chosen a wise and expert man, called the common speaker of the parliament, who shall propose all and sundry needs and causes pertaining to the commons in the parliament, or general council." No such speaker, it would seem, was ever chosen; and by a subsequent law the chancellor was declared perpetual president of parliament.

appeared with such evident marks of inferiority. Parliaments were often hastily assembled, and it was, probably, in the king's power, by the manner in which he issued his writs for that purpose, to exclude such as were averse from his measures. At a time when deeds of violence were common, and the restraints of law and decency were little regarded, no man could venture with safety to oppose the king in his own court. The great barons, or lords of parliament, were extremely few; even so late as the beginning of the reign of James VI.<sup>m</sup> they amounted only to fifty-three. The ecclesiastics equalled them in number, and being devoted implicitly to the crown, for reasons which have been already explained, rendered all hopes of victory in any struggle desperate. Nor were the nobles themselves so anxious as might be imagined, to prevent acts of parliament favourable to the royal prerogative; conscious of their own strength, and of the king's inability to carry these acts into execution without their concurrence, they trusted that they might either elude or venture to condemn them; and the statute revoking the king's property, and annexing alienated jurisdictions to the crown, repeated in every reign, and violated and despised as often, is a standing proof of the impotence of laws, when opposed to power. So many concurring causes are sufficient, perhaps, to account for the ascendant which our kings acquired in parliament. But, without having recourse to any of these, a single circumstance, peculiar to the constitution of the Scottish parliament, the mentioning of which we have hitherto avoided, will abundantly explain this fact, seemingly so repugnant to all our reasonings concerning the weakness of the king, and the power of the nobles.

As far back as our records enable us to trace the constitution of our parliaments, we find a committee, distinguished by the names of *Lords of Articles*. It was their business to prepare and to digest all matters which were to be laid before the parliament. There was rarely any business introduced into parliament, but what had passed

through the channel of this committee ; every motion for a new law was first made there, and approved of, or rejected by the members of it ; what they approved was formed into a bill, and presented to parliament ; and it seems probable, that what they rejected could not be introduced into the house. This committee owed the extraordinary powers vested in it to the military genius of the ancient nobles ; too impatient to submit to the drudgery of civil business, too impetuous to observe the forms, or to enter into the details necessary in conducting it, they were glad to lay that burden upon a small number, while they themselves had no other labour than simply to give, or to refuse, their assent to the bills which were presented to them. The lords of articles, then, not only directed all the proceedings of parliament, but possessed a negative before debate. That committee was chosen and constituted in such a manner, as put this valuable privilege entirely in the king's hands. It is extremely probable, that our kings once had the sole right of nominating the lords of articles.<sup>a</sup> They came afterward to be elected by the parliament, and consisted of an equal number out of each estate, and most commonly of eight temporal and eight spiritual lords, of eight representatives of boroughs, and of the eight great officers of the crown. Of this body, the eight ecclesiastics, together with the officers of the crown, were entirely at the king's devotion, and it was scarce possible that the choice could fall on such temporal lords and burgesses as would unite in opposition to his measures. Capable either of influencing

<sup>a</sup> It appears from authentic records, that a parliament was appointed to be held March 12, 1566, and that the lords of articles were chosen and met on the 7th, five days before the assembling of parliament. If they could be regularly elected so long before the meeting of parliament, it is natural to conclude, that the prince alone possessed the right of electing them. There are two different accounts of the manner of their election at that time, one by Mary herself, in a letter to the archbishop of Glasgow : " We, accompanied with our nobility for the time, past to the Tolbooth of Edinburgh, for holding of our parliament on the 7th day of this instant, and elected the lords articulators." If we explain these words, according to the strict grammar, we must conclude that the queen herself elected them. It is, however, more probable that Mary meant to say, that the nobles then present with her, viz. her privy-counsellors, and others, elected the lords of articles. Keith's Hist. of Scotland, p. 331. The other account is lord Ruthven's, who expressly affirms that the queen herself elected them. Keith's Append. 126. Whether we embrace the one or the other of these opinions, is of no consequence. If the privy-counsellors and nobles attending the court had a right to elect the lords of articles, it was equally advantageous for the crown, as if the prince had had the sole nomination of them.

their election, or of gaining them when elected, the king commonly found the lords of articles no less obsequious to his will, than his own privy-council ; and, by means of his authority with them, he could put a negative upon his parliament before debate, as well as after it ; and what may seem altogether incredible, the most limited prince in Europe actually possessed, in one instance, a prerogative which the most absolute could never attain.\*

State of Europe at the beginning of the sixteenth century. To this account of the internal constitution of Scotland, it will not be improper to add a view of the political state of Europe at that period, where the following history commences. A thorough knowledge of that general system, of which every kingdom in Europe forms a part, is not less requisite towards under-

\* Having deduced the history of the committee of lords of articles as low as the subject of this preliminary book required, it may be agreeable, perhaps, to some of my readers, to know the subsequent variations in this singular institution, and the political use which our kings made of these. When parliaments became more numerous, and more considerable by the admission of the representatives of the lesser barons, the preserving their influence over the lords of articles became, likewise, an object of greater importance to our kings. James VI. on pretence that the lords of articles could not find leisure to consider the great multitude of affairs laid before them, obtained an act, appointing four persons to be named out of each *estate*, who should meet twenty days before the commencement of parliament,\* to receive all supplications, &c. and rejecting what they thought frivolous, should engross in a book what they thought worthy the attention of the lords of articles. No provision is made in the act for the choice of this select body, and the king would, of course, have claimed that privilege. In 1633, when Charles I. was beginning to introduce those innovations, which gave so much offence to the nation, he dreaded the opposition of his parliament, and in order to prevent that, an artifice was made use of to secure the lords of articles for the crown. The temporal peers were appointed to choose eight bishops, and the bishops eight peers ; these sixteen met together, and elected eight knights of the shire, and eight burgesses, and to these the crown officers were added as usual. If we can only suppose eight persons of so numerous a body as the peers of Scotland were become by that time, attached to the court, these it is obvious, would be the men whom the bishops would choose, and of consequence the whole lords of the articles were the tools and creatures of the king. This practice, so inconsistent with liberty, was abolished during the civil war ; and the statute of James VI. was repealed. After the Restoration, parliaments became more servile than ever. What was only a temporary device, in the reign of Charles I. was then converted into a standing law. "For my part," says the author from whom I have borrowed many of these particulars, "I should have thought it less criminal in our restoration parliament, to have openly bestowed upon the king a negative before debate, than, in such an underhand artificial manner, to betray their constituents and the nation." *Essays on Brit. Antiq.* 55. It is probable, however, from a letter of Randolph's to Cecil, 10th of August, 1560, printed in the Appendix, that this parliament had some appearance of ancient precedent to justify their unworthy conduct. Various questions concerning the constituent members of the Scottish parliament ; concerning the era at which the representatives of boroughs were introduced into that assembly ; and concerning the origin and power of the committee of lords of articles, occur, and have been agitated with great warmth. Since the first publication of this work, all these disputed points have been considered with calmness and accuracy in Mr. Wright's *Inquiry into the Rise and Progress of Parliament*, &c. 4to. edit. p. 17, &c.

\* Act 222. P. 1594.

standing the history of a nation, than an acquaintance with its peculiar government and laws. The latter may enable us to comprehend domestic occurrences and revolutions; but without the former, foreign transactions must be altogether mysterious and unintelligible. By attending to this, many dark passages in our history may be placed in a clear light; and where the bulk of historians have seen only the effect, we may be able to discover the cause.

The subversion of the feudal government in France, and its declension in the neighbouring kingdoms, occasioned a remarkable alteration in the political state of Europe. Kingdoms, which were inconsiderable when broken, and parcelled out among nobles, acquired firmness and strength by being united into a regular monarchy. Kings became conscious of their own power and importance. They meditated schemes of conquest, and engaged in wars at a distance. Numerous armies were raised, and great taxes imposed for their subsistence. Considerable bodies of infantry were kept in constant pay; that service grew to be honourable: and cavalry, in which the strength of European armies had hitherto consisted, though proper enough for the short and voluntary excursions of barons who served at their own expense, were found to be unfit for making or defending any important conquest.

It was in Italy that the powerful monarchs of France and Spain and Germany first appeared to make a trial of their new strength. The division of that country into many small states, the luxury of the people, and their effeminate aversion to arms, invited their more martial neighbours to an easy prey. The Italians, who had been accustomed to mock battles only, and to decide their interior quarrels by innocent and bloodless victories, were astonished, when the French invaded their country, at the sight of real war; and, as they could not resist the torrent, they suffered it to take its course, and to spend its rage. Intrigue and policy supplied the want of strength. Necessity and self-preservation led that ingenious people to the great secret of modern politics, by teaching them how to balance the power of

one prince, by throwing that of another into the opposite scale. By this happy device, the liberty of Italy was long preserved. The scales were poised by very skilful hands; the smallest variations were attended to, and no prince was allowed to retain any superiority that could be dangerous.

A system of conduct, pursued with so much success in Italy, was not long confined to that country of political refinement. The maxim of preserving a balance of power is founded so much upon obvious reasoning, and the situation of Europe rendered it so necessary, that it soon became a matter of chief attention to all wise politicians. Every step any prince took was observed by all his neighbours. Ambassadors, a kind of honourable spies, authorized by the mutual jealousy of kings, resided almost constantly at every different court, and had it in charge to watch all its motions. Dangers were foreseen at a greater distance, and prevented with more ease. Confederacies were formed to humble any power which rose above its due proportion. Revenge or self-defence were no longer the only causes of hostility; it became common to take arms out of policy; and war, both in its commencement and in its operations, was more an exercise of the judgment, than of the passions of men. Almost every war in Europe became general, and the most inconsiderable states acquired importance, because they could add weight to either scale.

Francis I. who mounted the throne of France in the year 1515, and Charles V. who obtained the imperial crown in the year 1519, divided between them the strength and affections of all Europe. Their perpetual enmity was not owing solely either to personal jealousy, or to the caprice of private passion, but was founded so much in nature and true policy, that it subsisted between their posterity for several ages. Charles succeeded to all the dominions of the house of Austria. No family had ever gained so much by wise and fortunate marriages. By acquisitions of this kind, the Austrian princes rose, in a short time, from obscure counts of Hapsbourg, to be archdukes of Austria and kings of Bohemia, and were in possession of the imperial



dignity by a sort of hereditary right. Besides these territories in Germany, Charles was heir to the crown of Spain, and to all the dominions which belonged to the house of Burgundy. The Burgundian provinces engrossed, at that time, the riches and commerce of one half of Europe; and he drew from them, on many occasions, those immense sums, which no people without trade and liberty are able to contribute. Spain furnished him a gallant and hardy infantry, to whose discipline he was indebted for all his conquests. At the same time, by the discovery of the New World, a vein of wealth was opened to him, which all the extravagance of ambition could not exhaust. These advantages rendered Charles the first prince in Europe; but he wished to be more, and openly aspired to universal monarchy. His genius was of that kind which ripens slowly, and lies long concealed; but it grew up, without observation, to an unexpected height and vigour. He possessed, in an eminent degree, the characteristic virtues of all the different races of princes to whom he was allied. In forming his schemes, he discovered all the subtlety and penetration of Ferdinand his grandfather; he pursued them with that obstinate and inflexible perseverance which has ever been peculiar to the Austrian blood; and, in executing them, he could employ the magnanimity and boldness of his Burgundian ancestors. His abilities were equal to his power, and neither of them would have been inferior to his designs, had not Providence, in pity to mankind, and in order to preserve them from the worst of all evils, universal monarchy, raised up Francis I. to defend the liberty of Europe. His dominions were less extensive, but more united, than the emperor's. His subjects were numerous, active, and warlike, lovers of glory, and lovers of their king. To Charles, power was the only object of desire, and he pursued it with an unwearied and joyless industry. Francis could mingle pleasure and elegance with his ambition; and, though he neglected some advantages, which a more phlegmatic or more frugal prince would have improved,

an active and intrepid courage supplied all his defects, and checked or defeated many of the emperor's designs.

The rest of Europe observed all the motions of these mighty rivals with a jealous attention. On the one side, the Italians saw the danger which threatened Christendom, and, in order to avert it, had recourse to the expedient which they had often employed with success. They endeavoured to divide the power of the two contending monarchs into equal scales, and, by the union of several small states, to counterpoise him whose power became too great. But what they concerted with much wisdom, they were able to execute with little vigour; and intrigue and refinement were feeble fences against the encroachments of military power.

On the other side, Henry VIII. of England held the balance with less delicacy, but with a stronger hand. He was the third prince of the age in dignity and in power; and the advantageous situation of his dominions, his domestic tranquillity, his immense wealth, and absolute authority, rendered him the natural guardian of the liberty of Europe. Each of the rivals courted him with emulation: he knew it to be his interest to keep the balance even, and to restrain both, by not joining entirely with either of them. But he was seldom able to reduce his ideas to practice; he was governed by caprice more than by principle; and the passions of the man were an overmatch for the maxims of the king. Vanity and resentment were the great springs of all his undertakings, and his neighbours easily found the way, by touching these, to force him upon many rash and inconsistent enterprises. His reign was a perpetual series of blunders in politics; and while he esteemed himself the wisest prince in Europe, he was a constant dupe to those who found it necessary, and could submit, to flatter him.

In this situation of Europe, Scotland, which had hitherto wasted her strength in the quarrels between France and England, emerged from her obscurity, took her station in the system, and began to have some influence upon the fate

of distant nations. Her assistance was frequently of consequence to the contending parties, and the balance was often so nicely adjusted, that it was in her power to make it lean to either side. The part assigned her, at this juncture, was to divert Henry from carrying his arms into the continent. That prince having routed the French at Guinegat and invested Terouënne, France attempted to divide his forces, by engaging James IV. in that unhappy expedition which ended with his life. For the same reason Francis encouraged and assisted the duke of Albany to ruin the families of Angus and Home, which were in the interest of England, and would willingly have persuaded the Scots to revenge the death of their king, and to enter into a new war with that kingdom. Henry and Francis having united, not long after, against the emperor, it was the interest of both kings, that the Scots should continue inactive; and a long tranquillity was the effect of their union. Charles endeavoured to break this, and embarrass Henry by another inroad of the Scots. For this end he made great advances to James V. flattering the vanity of the young monarch, by electing him a knight of the Golden Fleece, and by offering him a match in the imperial family; while, in return for these empty honours, he demanded of him to renounce his alliance with France, and to declare war against England. But James, who had much to lose, and who could gain little by closing with the emperor's proposals, rejected them with decency, and, keeping firm to his ancient allies, left Henry at full liberty to act upon the continent with his whole strength.

Henry himself began his reign by imitating the example of his ancestors with regard to Scotland. He held its power in such extreme contempt, that he was at no pains to gain its friendship; but, on the contrary, he irritated the whole nation, by reviving the antiquated pretensions of the crown of England to the sovereignty over Scotland. But his own experience, and the examples of his enemies, gave him a higher idea of its importance. It was impossible to defend an open and extensive frontier against the incursions

of an active and martial people. During any war on the continent, this obliged him to divide the strength of his kingdom. It was necessary to maintain a kind of army of observation in the north of England; and, after all precautions, the Scottish borderers, who were superior to all mankind in the practice of irregular war, often made successful inroads, and spread terror and desolation over many counties. He fell, at last, upon the true secret of policy with respect to Scotland, which his predecessor had too little penetration to discover, or too much pride to employ. The situation of the country, and the bravery of the people, made the conquest of Scotland impossible; but the national poverty, and the violence of faction, rendered it an easy matter to divide and to govern it. He abandoned, therefore, the former design, and resolved to employ his utmost address in executing the latter. It had not yet become honourable for one prince to receive pay from another, under the more decent name of a subsidy. But, in all ages, the same arguments have been good in courts, and of weight with ministers, factious leaders, and favourites. What were the arguments by which Henry brought over so many to his interest during the minority of James V. we know by the original warrant still extant,<sup>p</sup> for remitting considerable sums into Scotland. By a proper distribution of these, many persons of note were gained to his party, and a faction, which held secret correspondence with England, and received all its directions from thence, appears henceforward in our domestic contests. In the sequel of the history, we shall find Henry labouring to extend his influence in Scotland. His successors adopted the same plan, and improved upon it. The affairs of the two kingdoms became interwoven, and their interests were often the same. Elizabeth divided her attention almost equally between them, and the authority which she inherited in the one, was not greater than that which she acquired in the other.

## BOOK II.

Birth of Mary, Dec. 8, 1542, and state of the kingdom. MARY, queen of Scots, the daughter of James V. and Mary of Guise, was born a few days before the death of her father. The situation in which he left the kingdom alarmed all ranks of men with the prospect of a turbulent and disastrous reign. A war against England had been undertaken without necessity, and carried on without success. Many persons of the first rank had fallen into the hands of the English, in the unfortunate rout near the firth of Solway, and were still prisoners at London. Among the rest of the nobles there was little union in their views or in their affections; and the religious disputes, occasioned by the opinions of the reformers, growing every day more violent, added to the rage of those factions which are natural to a form of government nearly aristocratical.

The government of a queen was unknown in Scotland, and did not imprint much reverence in the minds of a martial people. The government of an infant queen was still more destitute of real authority; and the prospect of a long and feeble minority invited to faction by the hope of impunity. James had not even provided the common remedies against the disorders of a minority, by committing to proper persons the care of his daughter's education, and the administration of affairs in her name. Though he saw the clouds gathering, and foretold that they would quickly burst into a storm, he was so little able to disperse them, or to defend his daughter and kingdom against the imminent calamities, that, in mere despair, he abandoned them both to the mercy of fortune, and left open to every pretender the office of regent, which he could not fix to his own satisfaction.

Pretensions of cardinal Beatoun Cardinal Beatoun, who had for many years been considered as prime minister, was the first that claimed that high dignity; and, in support of his

to the regency. pretensions, he produced a testament,<sup>a</sup> which he himself had forged in the name of the late king; and without any other right, instantly assumed the title of regent. He hoped, by the assistance of the clergy, the countenance of France, the connivance of the queen dowager, and the support of the whole Popish faction, to hold by force what he had seized on by fraud. But Beatoun had enjoyed power too long to be a favourite of the nation. Those among the nobles who wished for a reformation in religion dreaded his severity, and others considered the elevation of a churchman to the highest office in the kingdom as a depression of themselves. At their instigation, James Hamilton, earl of Arran, and next heir to the queen, roused himself from his inactivity, and was prevailed on to aspire to that station to which proximity of blood gave him a natural title.

Earl of Arran chosen regent.

The nobles, who were assembled for that purpose, unanimously conferred on him the office of regent; and the public voice applauded their choice.<sup>b</sup>

Character of Beatoun;

No two men ever differed more widely in disposition and character, than the earl of Arran and cardinal Beatoun. The cardinal was by nature of immoderate ambition; by long experience he had acquired address and refinement; and insolence grew upon him from continual success. His high station in the church placed him in the way of great civil employments; his abilities were equal to the greatest of these; nor did he reckon any of them to be above his merit. As his own eminence was founded upon the power of the church of Rome, he was a zealous defender of that superstition, and for the same reason an avowed enemy to the doctrine of the reformers. Political motives alone determined him to support the one, or to oppose the other. His early application to public business kept him unacquainted with the learning and controversies of the age; he gave judgment, however, upon all points in dispute, with a precipitancy, violence, and rigour, which contemporary historians mention with indignation.

<sup>a</sup> Sadler's Lett. 161. Haynes, State Papers, 486.

<sup>b</sup> Epist. Reg. Scot. vol. ii. p. 308.

The character of the earl of Arran was, in almost every thing, the reverse of Beatoun's. He was neither infected with ambition, nor inclined to cruelty; the love of ease extinguished the former, the gentleness of his temper preserved him from the latter. Timidity and irresolution were his predominant failings, the one occasioned by his natural constitution, and the other arising from a consciousness that his abilities were not equal to his station. With these dispositions he might have enjoyed and adorned private life; but his public conduct was without courage, or dignity, or consistence; the perpetual slave of his own fears, and, by consequence, the perpetual tool of those who found their advantage in practising upon them. But, as no other person could be set in opposition to the cardinal, with any probability of success, the nation declared in his favour with such general consent, that the artifices of his rival could not withstand its united strength.

Schemes of Henry VIII. with regard to Scotland. The earl of Arran had scarce taken possession of his new dignity, when a negotiation was opened with England, which gave birth to events of the most fatal consequences to himself, and to the kingdom. After the death of James, Henry VIII. was no longer afraid of any interruption from Scotland to his designs against France; and immediately conceived hopes of rendering this security perpetual, by the marriage of Edward his only son with the queen of Scots. He communicated his intentions to the prisoners taken at Solway, and prevailed on them to favour it, by the promise of liberty, as the reward of their success. In the mean time he permitted them to return into Scotland, that, by their presence in the parliament which the regent had called, they might be the better able to persuade their countrymen to fall in with his proposals. A cause intrusted to such able and zealous advocates, could not well miss of coming to an happy issue. All those who feared the cardinal, or who desired a change in religion, were fond of an alliance, which afforded protection to the doctrine which they had embraced, as well as to their own persons, against the rage of that powerful and haughty prelate.

But Henry's rough and impatient temper was incapable of improving this favourable conjuncture.

Address and delicacy in managing the fears, and follies, and interests of men, were arts with which he was utterly unacquainted. The designs he had formed upon Scotland were obvious from the marriage which he had proposed, and he had not dexterity enough to disguise or to conceal them. Instead of yielding to the fear or jealousy of the Scots, what time and accident would soon have enabled him to recover, he at once alarmed and irritated the whole nation, by demanding that the queen's person should be immediately committed to his custody, and that the government of the kingdom should be put into his hands during her minority.

Henry could not have prescribed more ignominious conditions to a conquered people, and it is no wonder they were rejected, with indignation, by men who scorned to purchase an alliance with England at the price of their own liberty. The parliament of Scotland, however, influenced by the nobles who returned from England; desirous of peace with that kingdom; and

March 12, delivered, by the regent's confining the cardinal as 1543. a prisoner, from an opposition to which he might have given rise; consented to a treaty of marriage and of union, but upon terms somewhat more equal. After some dark and unsuccessful intrigues, by which his ambassador endeavoured to carry off the young queen and cardinal Beatoun into England, Henry was obliged to give up his own proposals, and to accept of theirs. On his side he consented that the queen should continue to reside in Scotland, and himself remain excluded from any share in the government of the kingdom. On the other hand, the Scots agreed to send their sovereign into England as soon as she attained the full age of ten years, and instantly to deliver six persons of the first rank to be kept as hostages by Henry till the queen's arrival at his court.

Favoured  
by the re-  
gent.

The treaty was still so manifestly of advantage to England, that the regent lost much of the public confidence by consenting to it. The cardinal, who



had now recovered liberty, watched for such an opportunity of regaining credit, and he did not fail to cultivate and improve this to the utmost. He complained

Opposed  
by the car-  
dinal.

loudly that the regent had betrayed the kingdom to its most inveterate enemies, and sacrificed its honour to his own ambition. He foretold the extinction of the true Catholic religion, under the tyranny of an excommunicated heretic ; but, above all, he lamented to see an ancient kingdom consenting to its own servitude, descending into the ignominious station of a dependant province ; and, in one hour, the weakness or treachery of a single man surrendering every thing for which the Scottish nation had struggled and fought during so many ages. These remonstrances of the cardinal were not without effect. They were addressed to prejudices and passions which are deeply rooted in the human heart. The same hatred to the ancient enemies of their country, the same jealousy of national honour, and pride of independence, which, at the beginning of the present century, went near to prevent the Scots from consenting to a union with England, upon terms of great advantage, did, at that time, induce the whole nation to declare against the alliance which had been concluded. In the one period, a hundred and fifty years of peace between the two nations, the habit of being subjected to the same king, and governed by the same maxims, had considerably abated old animosities, and prepared both people for incorporating. In the other, injuries were still fresh, the wounds on both sides were open, and, in the warmth of resentment, it was natural to seek revenge, and to be averse from reconciliation. At the Union in 1707, the wisdom of parliament despised the groundless murmurs occasioned by antiquated prejudices ; but in 1543, the complaints of the nation were better founded, and urged with a zeal and unanimity, which it is neither just nor safe to disregard. A rash measure of the English monarch added greatly to the violence of this national animosity. The Scots, relying on the treaty of marriage and union, fitted out several ships for France, with

which their trade had been interrupted for some time. These were driven by stress of weather to take refuge in different ports of England; and Henry, under pretext that they were carrying provisions to a kingdom with which he was at war, ordered them to be seized and condemned as lawful prizes.<sup>c</sup> The Scots, astonished at this proceeding of a prince, whose interest it was manifestly, at that juncture, to court and to sooth them, felt it not only as an injury, but as an insult, and expressed all the resentment natural to a high-spirited people.<sup>d</sup> Their rage rose to such a height, that the English ambassador could hardly be protected from it. One spirit seemed now to animate all orders of men. The clergy offered to contribute a great sum towards preserving the church from the dominion of a prince, whose system of reformation was so fatal to their power. The nobles, after having mortified the cardinal so lately in such a cruel manner, were now ready to applaud and to second him, as the defender of the honour and liberty of his country.

He excites almost the whole nation against the English. Argyll, Huntly, Bothwell, and other powerful barons, declared openly against the alliance with England. By their assistance, the cardinal seized on the persons of the young queen and her mother, and added to his party the splendour and authority of the

<sup>c</sup> Keith, 32. 34. Epist. Reg. Scot. ii. App. 311. Hamilton MSS. vol. i. p. 389.

<sup>d</sup> In the MS. collection of papers belonging to the duke of Hamilton, Sir Ralph Sadler describes the spirit of the Scots as extremely outrageous. In his letter from Edinburgh, September 1, 1543, he says: "The stay of the ships has brought the people of this town, both men and women, and especially the merchants, into such a rage and fury, that the whole town is commoved against me, and swear great oaths, that if their ships are not restored, that they would have their amends of me and mine, and that they would set my house here on fire over my head, so that one of us should not escape alive; and also it hath much incensed and provoked the people against the governor, saying, that he hath coloured a peace with your Majesty only to undo them. This is the unreasonableness of the people which live here in such a beastly liberty, that they neither regard God nor governor; nor yet justice, or any good policy, doth take place among them; assuring your Highness that, unless the ships be delivered, there will be none abiding here for me without danger." Vol. i. 451. In his letter of September 5, he writes, that the rage of the people still continued so violent, "that neither I nor any of my folks dare go out of my doors; and the provost of the town, who hath much ado to stay them from assaulting me in my house, and keepeth watch therefore nightly, hath sent to me sundry times, and prayed me to keep myself and my folks within, for it is scant in his power to repress or resist the fury of the people. They say plainly, I shall never pass out of the town alive, except they have their ships restored. This is the rage and beastliness of this nation which God keep all honest men from." Ib. 471.

royal name.<sup>e</sup> He received, at the same time, a more real accession to his strength, by the arrival of Matthew Stuart, earl of Lennox, whose return from France he had earnestly solicited. This young nobleman was the hereditary enemy of the house of Hamilton. He had many claims upon the regent, and pretended a right to exclude him, not only from succeeding to the crown, but to deprive him of the possession of his private fortune. The cardinal flattered his vanity with the prospect of marrying the queen dowager, and affected to treat him with so much respect, that the regent became jealous of him as a rival in power.

This suspicion was artfully heightened by the abbot of Paisley, who returned into Scotland some time before the earl of Lennox, and acted in concert with the cardinal. He was a natural brother of the regent, with whom he had great credit; a warm partisan of France, and a zealous defender of the established religion. He took hold of the regent by the proper handle, and endeavoured to bring about a change in his sentiments, by working upon his fears. The desertion of the nobility, the disaffection of the clergy, and the rage of the people; the resentment of France, the power of the cardinal, and the pretensions of Lennox, were all represented with aggravation, and with their most threatening aspect.

Meanwhile, the day appointed for the ratification of the treaty with England, and the delivery of the hostages, approached, and the regent was still undetermined, in his own mind. He acted to the last with that irresolution and inconsistency which is peculiar to weak men when they are so unfortunate as to have the chief part in the conduct of difficult affairs. On the 25th of August, he ratified a treaty <sup>Obliges the</sup> with Henry,<sup>f</sup> and proclaimed the cardinal, who still <sup>regent to</sup> continued to oppose it, an enemy to his country. <sup>renounce</sup> On the 3d of September he secretly withdrew from <sup>the friend-</sup> England, <sup>ship with</sup> Edinburgh, met with the cardinal at Callendar, renounced the friendship of England, and declared for the interests of France.<sup>g</sup>

<sup>e</sup> Keith's Hist. of Scot. 30.

<sup>f</sup> Rymer, Fœd. xv. p. 4.

<sup>g</sup> Sadler, 339. 356. Hamilton MSS. i. 470, &c.

Henry, in order to gain the regent, had not spared the most magnificent promises. He had offered to give the princess Elizabeth in marriage to his eldest son, and to constitute him king of that part of Scotland which lies beyond the river Forth. But, upon finding his interest in the kingdom to be less considerable than he had imagined, the English monarch began to treat him with little respect. The young queen was now in the custody of his enemies, who grew every day more numerous and more popular. They formed a separate court at Stirling, and threatened to elect another regent. The French king was ready to afford them his protection, and the nation, out of hatred to the English, would have united in their defence. In this situation, the regent could not retain his authority, without a sudden change of his measures; and though he endeavoured, by ratifying the treaty, to preserve the appearances of good faith with England, he was obliged to throw himself into the arms of the party which adhered to France.

and to persecute the reformers. Soon after this sudden revolution in his political principles, the regent changed his sentiments concerning religion. The spirit of controversy was then new and warm; books of that kind were eagerly read by men of every rank; the love of novelty, or the conviction of truth, had led the regent to express great esteem for the writings of the reformers, and having been powerfully supported by those who had embraced their opinions, he, in order to gratify them, entertained, in his own family, two of the most noted preachers of the Protestant doctrine, and, in his first parliament, consented to an act, by which the laity were permitted to read the Scriptures in a language which they understood.<sup>b</sup> Truth needed only a fair hearing to be an overmatch for error. Absurdities, which had long imposed on the ignorance and credulity of mankind, were detected and exposed to public ridicule; and, under the countenance of the regent, the reformation made great advances. The cardinal observed its progress with concern,

<sup>b</sup> Keith, p. 36, 37.

and was at the utmost pains to obstruct it. He represented to the regent his great imprudence in giving encouragement to opinions so favourable to Lennox's pretensions; that his own legitimacy depended upon the validity of a sentence of divorce, founded on the pope's authority; and that by suffering it to be called in question, he weakened his own title to the succession, and furnished his rival with the only argument by which it could be rendered doubtful.<sup>1</sup> These insinuations made a deep impression on the regent's timorous spirit, who, at the prospect of such imaginary danger, was as much startled as the cardinal could have wished; and his zeal for the Protestant religion was not long proof against his fear. He publicly abjured the doctrine of the reformers in the Franciscan church at Stirling, and declared not only for the political, but the religious opinions of his new confidants.

The Protestant doctrine did not suffer much by his apostasy. It had already taken so deep root in the kingdom, that no discouragement or severity could extirpate it. The regent indeed consented to every thing that the zeal of the cardinal thought necessary for the preservation of the established religion. The reformers were persecuted with all the cruelty which superstition inspires into a barbarous people. Many were condemned to that dreadful death, which the church has appointed for the punishment of its enemies; but they suffered with a spirit so nearly resembling the patience and fortitude of the primitive martyrs, that more were converted than terrified by such spectacles.

The cardinal, however, was now in possession of every thing his ambition could desire; and exercised all the authority of a regent, without the envy of the name. He had nothing to fear from

Beatoun  
engrosses  
the chief  
direction  
of affairs.

<sup>1</sup> The pretensions of the earl of Lennox to the succession were thus founded. Mary, the daughter of James II. was married to James lord Hamilton, whom James III. created earl of Arran on that account. Elizabeth, a daughter of that marriage, was the wife of Matthew, earl of Lennox, and the present earl was her grandson. The regent was likewise the grandson of the princess Mary. But his father having married Janet Beatoun, the regent's mother, after he had obtained a divorce from Elizabeth Home, his former wife, Lennox pretended that the sentence of divorce was unjust, and that the regent being born while Elizabeth Home was still alive, ought to be considered as illegitimate. *Crawf. Peer.* 192.

the earl of Arran, who, having by his inconsistency forfeited the public esteem, was contemned by one half the nation, and little trusted by the other. The pretensions of the earl of Lennox were the only things which remained to embarrass him. He had very successfully made use of that nobleman to work upon the regent's jealousy and fear, but as he no longer stood in need of such an instrument, he was willing to get rid of him with decency. Lennox soon began to suspect his intention ; promises, flattery, and respect, were the only returns he had hitherto received for substantial services ; but at last the cardinal's artifices could no longer be concealed, and Lennox, instead of attaining power and dignity himself, saw that he had been employed only to procure these for another. Resentment and disappointed ambition urged him to seek revenge on that cunning prelate, who, by sacrificing his interest, had so ungenerously purchased the earl of Arran's friendship. He withdrew, for that reason, from court, and declared for the party at enmity with the cardinal, which, with open arms, received a convert who added so much lustre to their cause.

The two factions which divided the kingdom were still the same, without any alterations in their views or principles ; but, by one of those strange revolutions, which were frequent in that age, they had, in the course of a few weeks, changed their leaders. The regent was at the head of the partisans of France and the defenders of popery, and Lennox in the same station with the advocates for the English alliance and a reformation in religion. The one laboured to pull down his own work, which the other upheld with the same hand that had hitherto endeavoured to destroy it.

Lennox's impatience for revenge got the start of the cardinal's activity. He surprised both him and the regent by a sudden march to Edinburgh with a numerous army ; and might easily have crushed them, before they could prepare for their defence. But he was weak enough to listen to proposals for an accommodation ; and the cardinal amused

him so artfully, and spun out the treaty to such a length, that the greater part of the earl's troops, who served, as is usual wherever the feudal institutions prevailed, at their own expense, deserted him; and in concluding a peace, instead of giving the law, he was obliged to receive it. A second attempt to retrieve his affairs ended yet more unfortunately. One body of his troops was cut to pieces, and the rest dispersed; and with the poor remains of a ruined party, he must either have submitted to the conqueror, or have fled out of the kingdom, if the approach of an English army had not brought him a short relief.

Henry was not of a temper to bear tamely the indignity with which he had been treated, both by the regent and parliament of Scotland, who, at the time when they renounced their alliance with him, had entered into a new and stricter confederacy with France. The rigour of the season retarded for some time the execution of his vengeance. But, in the spring, a considerable body of infantry which was destined for France, received orders to sail for Scotland, and a proper number of cavalry was appointed to join it by land. The regent and cardinal little expected such a visit. They had trusted that the French war would find employment for all Henry's forces, and, from an unaccountable security, were wholly unprovided for the defence of the kingdom. The earl of Hertford, a leader fatal to the Scots in that age, commanded his army, and landed it, without opposition, a few miles from Leith. He was quickly master of that place; and marching directly to Edinburgh, entered it with the same ease. After plundering the adjacent country, the richest and most open in Scotland, he set on fire both these towns, and upon the approach of some troops gathered together by the regent, put his booty on board the fleet, and with his land-forces retired safely to the English borders; delivering the kingdom in a few days from the terror of an invasion, concerted with little policy, carried on at great expense, and attended with no advantage. If Henry aimed at the conquest of Scotland, he gained

Henry  
invades  
Scotland.

May 3,  
1544.

nothing by this expedition; if the marriage he had proposed was still in his view, he lost a great deal. Such a rough courtship, as the earl of Huntly humorously called it, disgusted the whole nation; their aversion for the match grew into abhorrence; and, exasperated by so many indignities, the Scots were never at any period more attached to France, or more alienated from England.<sup>k</sup>

The earl of Lennox alone, in spite of the regent and French king, continued a correspondence with England, which ruined his own interest, without promoting Henry's.<sup>l</sup> Many of his own vassals, preferring their duty to their country before their affection to him, refused to concur in any design to favour the public enemy. After a few feeble and unsuccessful attempts to disturb the regent's admi-

<sup>k</sup> The violence of national hatred between the English and Scots in the sixteenth century was such as can hardly be conceived by their posterity. A proof of the fierce resentment of the Scots is contained in the note on page 112. The instructions of the privy-council of England to the earl of Hertford, who commanded the fleet and army which invaded Scotland, A. D. 1544, are dictated by a national animosity no less excessive. I found them in the collection of papers belonging to the duke of Hamilton, and they merit publication, as they exhibit a striking picture of the spirit of that period.

*The Lords of the Council to the Earl of Hertford, Lieutenant in Scotland, April 10, 1544.*

The instruction begins with observing, that the King had originally intended to fortify Leith and keep possession of it, but, after mature deliberation, he had finally determined not to make any settlement in Scotland at present, and therefore he is directed not to make any fortification at Leith, or at any other place:

"But only for that journey to put all to fire and sword, burn Edinburgh town, so used and defaced, that when you have gotten what you can of it, it may remain for ever a perpetual memory of the vengeance of God lightened upon it, for their falsehood and disloyalty. Do what you can out of hand, and without long tarrying to beat down or overthrow the castle; sack houses and as many towns and villages about Edinburgh as ye may conveniently. Sack Leith, and subvert it, and all the rest, putting man, woman, and child, to fire and sword, without exception, when any resistance shall be made against you; and this done, pass over to the Fifeland, and extend like extremities and destruction to all towns and villages whereunto you may reach conveniently; not forgetting, amongst all the rest, so to spoil and turn upside down the Cardinal's town of St. Andrew's as the upper sort may be the nether, and not one *stoke* stand upon another, sparing no creature alive within the same, specially such as either in friendship or blood be allied unto the Cardinal; and if ye see any likelihood to win the castle, give some stout essay to the same, and if it be your fortune to get it, raze and destroy it piece-meal; and after this sort, spending one month there, spoiling and destroying as aforesaid, with the wise foresight that His Majesty doubteth not ye will use that your enemies take no advantage of you, and that you enterprize nothing but what you shall see may be easily atchieved, His Majesty thinketh verily, and so all we, ye shall find this *journey* succeedeth this way most to His Majesty's honour," &c.

These barbarous orders seem to have been executed with a rigorous and unfeeling exactness, as appears from a series of letters from lord Hertford, in the same collection, giving a full account of all his operations in Scotland. They contain several curious particulars, not mentioned by the writers of that age, and with which both the historians of the city of Edinburgh were unacquainted: but they are of two great length to be inserted here.

<sup>l</sup> Rymer, xv. p. 22.



nistration, he was obliged to fly for safety to the court of England, where Henry rewarded services which he had the inclination, but not the power to perform, by giving him in marriage his niece the lady Margaret Douglas. This unhappy exile, however, was destined to be the father of a race of kings. He saw his son lord Darnley mount the throne of Scotland, to the perpetual exclusion of that rival who now triumphed in his ruin. From that time his posterity have held the sceptre in two kingdoms, by one of which he was cast out as a criminal, and by the other received as a fugitive.

A peace concluded. Meanwhile hostilities were continued by both nations, but with little vigour on either side. The historians of that age relate minutely the circumstances of several skirmishes and inroads which, as they did not produce any considerable effect, at this distance of time deserve no remembrance.<sup>m</sup> At last an end was put to this languid and inactive war, by a peace, in which England, France,

<sup>m</sup> Though this war was distinguished by no important or decisive action, it was, however, extremely ruinous to individuals. There still remain two original papers, which give us some idea of the miseries to which some of the most fertile counties in the kingdom were exposed, by the sudden and destructive incursions of the borderers. The first seems to be the report made to Henry by the English wardens of the marches for the year 1544, and contains their exploits from the 2d of July to the 17th of November. The account it gives of the different inroads or *forrays*, as they are called, is very minute; and in conclusion, the sum total of mischief they did is thus computed:

Towns, towers, stedes, barnekyns, parish-churches, bastel-houses, cast down or burnt . . . . .	192
Scots slain . . . . .	403
Prisoners taken . . . . .	816
Nolt, i. e. horned cattle, taken . . . . .	10,386
Sheep . . . . .	12,492
Nags and geldings . . . . .	1,296
Goats . . . . .	200
Bolls of corn . . . . .	850
Insight gear, i. e. household furniture, not reckoned.	

Haynes's State Papers, 43.

The other contains an account of an inroad by the earl of Hertford, between the 8th and 23d of September, 1545; the narrative is more general, but it appears that he had burnt, rased, and destroyed, in the counties of Berwick and Roxburgh only,

Monasteries and friar-houses . . . . .	7
Castles, towers, and piles . . . . .	16
Market towns . . . . .	5
Villages . . . . .	243
Milns . . . . .	13
Hospitals . . . . .	3

All these were cast down or burnt. Haynes, 52. As the Scots were no less skilful in the practice of irregular war, we may conclude that the damage which they did in England was not inconsiderable; and that their *raids* were no less wasteful than the *forrays* of the English.

and Scotland were comprehended. Henry laboured to exclude the Scots from the benefit of this treaty, and to reserve them for that vengeance which his attention to the affairs of the continent had hitherto delayed. But although a peace with England was of the last consequence to Francis I. whom the emperor was preparing to attack with all his forces, he was too generous to abandon allies who had served him with fidelity, and he chose rather to purchase Henry's friendship with disadvantages to himself, than to leave them exposed to danger. By yielding some things to the interest, and more to the vanity, of that haughty prince; by submission, flattery, and address, he at length prevailed to have the Scots included in the peace agreed upon.

The murder of  
Beatoun.

An event which happened a short time before the conclusion of this peace, rendered it more acceptable to the whole nation. Cardinal Beatoun had not used his power with moderation equal to the prudence by which he attained it. Notwithstanding his great abilities, he had too many of the passions and prejudices of an angry leader of a faction, to govern a divided people with temper. His resentment against one party of the nobility, his insolence towards the rest, his severity to the reformers, and, above all, the barbarous and illegal execution of the famous George Wishart, a man of honourable birth and of primitive sanctity, wore out the patience of a fierce age; and nothing but a bold hand was wanting to gratify the public wish by his destruction. Private revenge, inflamed and sanctified by a false zeal for religion, quickly supplied this want. Norman Lesly, the eldest son of the earl of Rothes, had been treated by the cardinal with injustice and contempt. It was not the temper of the man, or the spirit of the times, quietly to digest an affront. As the profession of his adversary screened him from the effects of what is called an honourable resentment, he resolved to take that satisfaction which he could not demand. This resolution deserves as much censure, as the singular courage and conduct with which he put it in execution excite wonder. The

cardinal at that time resided in the castle of St. Andrew's, which he had fortified at great expense, and, in the opinion of the age, had rendered it impregnable. His retinue was numerous, the town at his devotion, and the neighbouring country full of his dependants. In this situation, sixteen persons undertook to surprise his castle, and to assassinate himself; and their success was equal to the boldness of the attempt. Early in the morning they seized on the gate of the castle, which was set open to the workmen who were employed in finishing the fortifications; and having placed sentries at the door of the cardinal's apartment, they awaked his numerous domestics one by one, and turning them out of the castle, they without noise or tumult, or violence to any other person, delivered their country, though by a most unjustifiable action, from an ambitious man, whose pride was insupportable to the nobles, as his cruelty and cunning were great checks to the Reformation.

The regent attempts in vain to seize the murderers.

His death was fatal to the Catholic religion, and to the French interest in Scotland. The same zeal for both continued among a great party in the nation, but when deprived of the genius and authority of so skilful a leader, operated with less effect. Nothing can equal the consternation which a blow so unexpected occasioned among such as were attached to him; while the regent secretly enjoyed an event, which removed out of his way a rival who had not only eclipsed his greatness, but almost extinguished his power. Decency, however, the honour of the church, the importunity of the queen dowager and her adherents, his engagements with France, and, above all these, the desire of recovering his eldest son, whom the cardinal had detained for some time at St. Andrew's, in pledge of his fidelity, and who, together with the castle, had fallen into the hands of the conspirators, induced him to take arms, in order to revenge the death of a man whom he hated.

He threatened vengeance, but was unable to execute it. One part of military science, the art of attacking fortified

places, was then imperfectly understood in Scotland. The weapons, the discipline, and impetuosity of the Scots, rendered their armies as unfit for sieges, as they were active in the field. A hundred and fifty men, which was the greatest number the conspirators ever assembled, resisted all the efforts of the regent for five months,<sup>n</sup> in a place which a single battalion, with a few battering cannon, would now reduce in a few hours. This tedious siege was concluded by a truce. The regent undertook to procure for the conspirators an absolution from the pope, and a pardon in parliament; and upon obtaining these, they engaged to surrender the castle, and to set his son at liberty.

It is probable, that neither of them were sincere in this treaty. On both sides they sought only to amuse, and to gain time. The regent had applied to France for assistance, and expected soon to have the conspirators at mercy. On the other hand, if Lesly and his associates were not at first incited by Henry to murder the cardinal, they were, in the sequel, powerfully supported by him. Notwithstanding the silence of contemporary historians, there are violent presumptions of the former; of the latter there is undoubted certainty.<sup>o</sup> During the siege, the conspirators had received from England supplies both of money and provisions; and as Henry was preparing to renew his proposals concerning the marriage and the union he had projected, and to second his negotiations with a numerous army, they hoped, by concurring with him, to be in a situation in which they would no longer need a pardon, but might claim a reward.<sup>p</sup>

<sup>n</sup> Epist. Reg. Scot. 2. 379.

<sup>o</sup> Keith, 60.

<sup>p</sup> In the first edition of this work, I expressed my suspicion of a correspondence between the murderers of cardinal Beaton and Henry VIII. prior to their committing that crime. In the papers of duke Hamilton is contained the clearest evidence of this, which I publish not only to establish that fact, but as an additional confirmation of the remarks which I made upon the frequency of assassination in that age, and the slight opinion which men entertained concerning it.

*The Earl of Hertford to the King's Majesty, Newcastle, April 17, 1544.*

Pleaseth your highness to understand, this day arrived with me the earl of Hertford, a Scottishman called Wishert, and brought me a letter from the lord of Brinstone [*i. e.* Chrichton laird of Brunstan] which I send your highness herewith, and, according to his request, have taken order for the repair of the said Wishert to your majesty by post, both for the delivery of such letters as he hath to your majesty from the said Brinstone, and also for the declaration of his credence, which as I perceive by him consisteth in

Jan. 28, 1547. The death of Henry blasted all these hopes. It happened in the beginning of next year, after a reign of greater splendour than true glory; bustling rather than active; oppressive in domestic government, and in foreign politics wild and irregular. But the vices of this prince were more beneficial to mankind, than the virtues of others. His rapaciousness, his profusion, and even his tyranny, by depressing the ancient nobility, and by adding new property and power to the commons, laid or strengthened the foundations of the English liberty. His other passions contributed no less towards the downfall of popery, and the establishment of religious freedom in the nation. His resentment led him to abolish the power, and his covetousness to seize the wealth, of the church; and, by withdrawing these supports, made it easy, in the following reign, to overturn the whole fabric of superstition.

Francis I. did not long survive a prince, who had been alternately his rival and his friend; but his successor Henry II. was not neglectful of the French interest in Scotland.

He sent a considerable body of men under the command of Leon Strozzi, to the regent's assistance.

Troops arrive from France.

By their long experience in the Italian and German

two points, one that the lord of Grange, late treasurer of Scotland, the master of Rothes, the earl of Rothes' eldest son, and John Charteris, would attempt either to apprehend or slay the cardinal, at some time when he shall pass through the Fifeland, as he doth sundry times in his way to St. Andrew's, and in case they can so apprehend him, will deliver him unto your majesty, which attempt, he saith, they would enterprise, if they knew your majesty's pleasure therein, and what supportation and maintainance your majesty would minister unto them, after the execution of the same, in case they should be pursued by any of their enemies; the other is, that in case your majesty would grant unto them a convenient entertainment to keep 1000 or 1500 men in wages for a month, or two, they, journeying with the power of the earl marshal, the said Mr of Rothes, the laird of Calder, and the other the lord friends, will take upon them, at such time as your majesty's army shall be in Scotland, to destroy the abbey and town of Arbroath, being the cardinal's, and all the other bishops' houses and countries on that side of the water thereabout, and to apprehend all those which they say be the principal impugnators of amity between England and Scotland; for which they should have a good opportunity, as they say, when the power of the said bishops and abbots shall resort towards Edinburgh to resist your majesty's army. And for the execution of these things, the said Wishert saith, that the earl marshal aforementioned and others will capitulate with your majesty in writing under their hands and seals, afore they shall desire any supply or aid of money at your majesty's hands. This is the effect of his credence, with sundry other advertisements of the great division that is at this present within the realm of Scotland, which we doubt not he will declare unto your majesty at good length. Hamilton MSS. vol. iii. p. 38.

N. B.—This is the letter of which Dr. Mackenzie, vol. iii. p. 18. and bishop Keith, Hist. p. 44. published a fragment. It does not authorize us to conclude that Mr. George Wishart, known by the name of the Martyr, was the person who resorted to the earl of Hertford. It was more probably John Wishart of Pitarrow, the chief of that name, a man of abilities, zealously attached to the reformed doctrine, and deeply engaged in all the intrigues and operations of that busy period. Keith, 96. 117. 119. 315.

wars, the French had become as dexterous in the conduct of sieges, as the Scots were ignorant; and as the boldness and despair of the conspirators could not defend them against the superior art of these new assailants, they, after a short resistance, surrendered to Strozzi, who engaged, in the name of the king his master, for the security of their lives; and, as his prisoners transported them into France.

The castle itself, the monument of Beatoun's power and vanity, was demolished, in obedience to the canon law, which, with admirable policy, denounces its anathemas even against the houses in which the sacred blood of a cardinal happens to be shed, and ordains them to be laid in ruins.<sup>†</sup>

The archbishopric of St. Andrew's was bestowed by the regent upon his natural brother John Hamilton, abbot of Paisley.

The delay of a few weeks would have saved the conspirators. Those ministers of Henry VIII. who had the chief direction of affairs during the minority of his son Edward VI. conducted themselves, with regard to Scotland, by the maxims of their late master, and resolved to frighten the Scots into a treaty, which they had not abilities or address to bring about by any other method.

But before we proceed to relate the events which their invasion of Scotland occasioned, we shall stop to take notice of a circumstance unobserved by contemporary historians, but extremely remarkable for the discovery it makes of the sentiments and spirit which then prevailed among the Scots. The conspirators against cardinal Beatoun found the regent's eldest son in the castle of St. Andrew's; and as they needed the protection of the English, it was to be feared that they might endeavour to purchase it, by delivering to them this important prize. The presumptive heir to the crown in the hands of the avowed enemies of the kingdom, was a dreadful prospect. In order to avoid it, the parliament fell upon a very extraordinary expedient. By an act made on purpose, they excluded "the regent's eldest son from all right of succession, public or private, so

<sup>†</sup> Burn. Hist. Ref. 1. 338.

long as he should be detained a prisoner, and substituted in his place his other brothers, according to their seniority and in failure of them, those who were next heirs to the regent.<sup>27</sup> Succession by hereditary right is an idea so obvious and so popular, that a nation seldom ventures to make a breach in it, but in cases of extreme necessity. Such a necessity did the parliament discover in the present situation. Hatred to England, founded on the memory of past hostilities, and heightened by the smart of recent injuries, was the national passion. This dictated that uncommon statute, by which the order of lineal succession was so remarkably broken. The modern theories, which represent this right as divine and unalienable, and that ought not to be violated upon any consideration whatsoever, seem to have been then altogether unknown.

Scotland  
invaded  
by the  
English. In the beginning of September, the earl of Hertford, now duke of Somerset, and protector of England, entered Scotland at the head of eighteen thousand men; and, at the same time, a fleet of sixty ships appeared on the coast to second his land forces. The Scots had for some time observed this storm gathering, and were prepared for it. Their army was almost double to that of the enemy, and posted to the greatest advantage on a rising ground above Musselburgh, not far from the banks of the river Eske. Both these circumstances alarmed the duke of Somerset, who saw his danger, and would willingly have extricated himself out of it, by a new overture of peace, on conditions extremely reasonable. But this moderation being imputed to fear, his proposals were rejected with scorn which the confidence of success inspires; and, if the conduct of the regent, who commanded the Scottish army, had been, in any degree, equal to his confidence, the destruction of the English must have been inevitable. They were in a situation precisely similar to that of their countrymen under Oliver Cromwell in the following century. The Scots had chosen their ground so well, that it was impossible to force them to give battle; a few days had exhausted

the forage and provision of a narrow country; the fleet could only furnish a scanty and precarious subsistence; a retreat, therefore, was necessary; but disgrace, and perhaps ruin, were the consequences of retreating.

On both these occasions, the national heat and impetuosity of the Scots saved the English, and precipitated their own country into the utmost danger. The undisciplined courage of the private men became impatient at the sight of an enemy. The general was afraid of nothing,

Battle of  
Pinkey.  
September  
10, 1547.

but that the English might escape from him by flight; and, leaving his strong camp, he attacked the duke of Somerset near Pinkey, with no better success than his rashness deserved. The protector had drawn up his troops on a gentle eminence, and had now the advantage of ground on his side. The Scottish army consisted almost entirely of infantry, whose chief weapon was a long spear, and for that reason their files were very deep, and their ranks close. They advanced towards the enemy in three great bodies, and, as they passed the river, were considerably exposed to the fire of the English fleet, which lay in the bay of Musselburgh, and had drawn near the shore. The English cavalry, flushed with an advantage which they had gained in a skirmish some days before, began the attack with more impetuosity than good conduct. A body so firm and compact as the Scots easily resisted the impression of cavalry, broke them, and drove them off the field. The English infantry, however, advanced; and the Scots were at once exposed to a flight of arrows, to a fire in flank from four hundred foreign fusileers, who served the enemy, and to their cannon, which were planted behind the infantry on the highest part of the eminence. The depth and closeness of their order making it impossible for the Scots to stand long in this situation, the earl of Angus who commanded the vanguard, endeavoured to change his ground, and to retire towards the main body. But his friends, unhappily, mistook his motion for a flight, and fell into confusion. At that very instant, the broken cavalry, having rallied, returned to the charge; the foot pursued



the advantage they had gained; the prospect of victory redoubled the ardour of both; and, in a moment the rout of the Scottish army became universal and irretrievable. The encounter in the field was not long nor bloody; but, in the pursuit, the English discovered all the rage and fierceness which national antipathy, kindled by long emulation, and inflamed by reciprocal injuries, is apt to inspire. The pursuit was continued for five hours, and to a great distance. All the three roads by which the Scots fled, were strewed with spears, and swords, and targets, and covered with the bodies of the slain. Above ten thousand men fell on this day, one of the most fatal Scotland had ever seen. A few were taken prisoners, and among these some persons of distinction. The protector had it now in his power to become master of a kingdom, out of which, not many hours before, he was almost obliged to retire with infamy.<sup>s</sup>

Their victory of little benefit to the English.

But this victory, however great, was of no real utility, for want of skill or of leisure to improve it. Every new injury rendered the Scots more averse from a union with England; and the protector neglected the only measure which would have made it necessary for them to have given their consent to it. He

<sup>s</sup> The following passage in a curious and rare journal of the protector's expedition into Scotland, written by W. Patten, who was joined in commission with Cecil, as judge-martial of the army, and printed in 1548, deserves our notice; as it gives a just idea of the military discipline of the Scots at that time. "But what after I learned, specially touching their order, their armour, and their manner as well of going to offend, as of standing to defend, I have thought necessary here to utter. Hackbutterers have they few or none, and appoint their fight most commonly always a-foot. They come to the field well furnished all with jack and skull, dagger and buckler, and swords all broad and thin, of exceeding good temper, and universally so made to slice, that as I never saw none so good, so I think it hard to devise the better. Hereto every man his pike, and a great kercher wrapped twice or thrice about his neck, not for cold, but for cutting. In their array towards joining with the enemy, they cling and thrust so near in the fore rank, shoulder and shoulder together, with their pikes in both their hands straight afore them, and their followers in that order so hard at their backs, laying their pikes over their foregoers' shoulders, that, if they do assail undiscovered no force can well withstand them. Standing at defence they thrust shoulders likewise so nigh together, the fore ranks well nigh to kneeling, stoop low before, their fellows behind holding their pikes with both hands, and therewith in their left their bucklers, the one end of their pike against their right foot, and the other against the enemy breast-high; their followers crossing their pike points with them forward; and thus each with other so nigh as space and place will suffer, through the whole ward so thick that as easy shall a bare finger pierce through the skin of an angry hedge-hog as any encounter the front of their pikes." Other curious particulars are found in this journal, from which Sir John Hayward has borrowed his account of this expedition. Life of Edward VI. 279, &c.

The length of the Scotch pike or spear was appointed by Act 44. P. 1471, to be six ells; i. e. eighteen feet six inches.

amused himself in wasting the open country, and in taking or building several petty castles : whereas, by fortifying a few places which were accessible by sea, he would have laid the kingdom open to the English, and, in a short time, the Scots must either have accepted of his terms, or have submitted to his power. By such an improvement of it, the victory at Dunbar gave Cromwell the command of Scotland. The battle of Pinkey had no other effect but to precipitate the Scots into new engagements with France. The situation of the English court may, indeed, be pleaded in excuse for the duke of Somerset's conduct. That cabal of his enemies, which occasioned his tragical end, was already formed ; and while he triumphed in Scotland, they secretly undermined his power and credit at home. Self-preservation, therefore, obliged him to prefer his safety before his fame, and to return without reaping the fruits of his victory. At this time, however, the cloud blew over ; the conspiracy by which he fell was not yet ripe for execution ; and his presence suspended its effects for some time. The supreme power still remaining in his hands, he employed it to recover the opportunity which he had lost. A body of troops, by his command, seized and fortified Haddingtoun, a place which, on account of its distance from the sea, and from any English garrison, could not be defended without great expense and danger.

Forces  
the Scots  
into a  
closer  
union with  
France ;

Meanwhile the French gained more by the defeat of their allies than the English by their victory. After the death of cardinal Beatoun, Mary of Guise, the queen dowager, took a considerable share in the direction of affairs. She was warmly attached by blood, and by inclination, to the French interest ; and, in order to promote it, improved with great dexterity every event which occurred. The spirit and strength of the Scots were broken at Pinkey ; and in an assembly of nobles which met at Stirling to consult upon the situation of the kingdom, all eyes were turned towards France, no prospect of safety appearing but in assistance from that quarter. But Henry II. being then at peace

with England, the queen represented that they could not expect him to take part in their quarrel, but upon views of personal advantage; and that without extraordinary concessions in his favour, no assistance, in proportion to their present exigencies, could be obtained. The prejudices of the nation powerfully seconded these representations of the queen. What often happens to individuals, took place among the nobles in this convention; they were swayed entirely by their passions; and in order to gratify them, they deserted their former principles, and disregarded their true interest. In the violence of resentment, they forgot that zeal for the independence of Scotland, which had prompted them to reject the proposals of Henry VIII.; and by offering, voluntarily, their queen in marriage to their dauphin, eldest son of Henry II.; and, which was still more, by proposing to send her immediately into France to be educated at his court, they granted, from a thirst of vengeance, what formerly they would not yield upon any consideration of their own safety. To gain at once such a kingdom as Scotland, was a matter of no small consequence to France. Henry, without hesitation, accepted the offers of the Scottish ambassadors, and prepared for the vigorous defence of his new acquisition. Six thousand veteran soldiers, under the command of Monsieur Dessé, assisted by some of the best officers who were formed in the long wars of Francis I. arrived at Leith. They served two campaigns in Scotland, with a spirit equal to their former fame. But their exploits were not considerable. The Scots soon becoming jealous of their designs, neglected to support them with proper vigour. The caution of the English, in acting wholly upon the defensive, prevented the French from attempting any enterprise of consequence; and obliged them to exhaust their strength in tedious sieges, undertaken under many disadvantages. Their efforts, however, were not without some benefit to the Scots, by compelling the English to evacuate Haddingtoun, and to surrender several small forts which they possessed in different parts of the kingdom.

But the effects of these operations of his troops were still of greater importance to the French king. The diversion which they occasioned enabled him to wrest Boulogne out of the hands of the English; and the influence of his army in Scotland obtained the concurrence of parliament with the overtures which had been made to him, by the assembly of nobles at Stirling, concerning the queen's marriage with the dauphin, and her education in the court of France. In vain did a few patriots remonstrate <sup>The treaty for that purpose concluded.</sup> against such extravagant concessions, by which Scotland was reduced to be a province of France; and Henry, from an ally, raised to be master of the kingdom; by which the friendship of France became more fatal than the enmity of England; and every thing was fondly given up to the one, that had been bravely defended against the other. A point of so much consequence <sup>June 5, 1548.</sup> was hastily decided in a parliament assembled in the camp before Haddingtoun; the intrigues of the queen dowager, the zeal of the clergy, and resentment against England, had prepared a great party in the nation for such a step; the French general and ambassador, by their liberality and promises, gained over many more. The regent himself was weak enough to stoop to the offer of a pension from France, together with the title of duke of Chatelherault in that kingdom. A considerable majority declared for the treaty, and the interest of a faction was preferred before the honour of the nation.

<sup>Mary sent to be educated in France.</sup> Having hurried the Scots into this rash and fatal resolution, the source of many calamities to themselves and to their sovereign, the French allowed them no time for reflection or repentance. The fleet which had brought over their forces was still in Scotland, and without delay convoyed the queen into France. Mary was then six years old, and by her education in that court, one of the politest but most corrupted in Europe, she acquired every accomplishment that could add to her charms as a woman, and contracted many of those prejudices which occasioned her misfortunes as a queen.

From the time that Mary was put into their hands, it was the interest of the French to suffer war in Scotland to languish. The recovery of the Boulonnois was the object which the French king had most at heart; but a slight diversion in Britain was sufficient to divide the attention and strength of the English, whose domestic factions deprived both their arms and councils of their accustomed vigour. The government of England had undergone a great revolution. The duke of Somerset's power had been acquired with too much violence, and was exercised with too little moderation, to be of long continuance. Many good qualities, added to great love of his country, could not atone for his ambition in usurping the sole direction of affairs. Some of the most eminent courtiers combined against him; and the earl of Warwick, their leader, no less ambitious but more artful than Somerset, conducted his measures with so much dexterity as to raise himself upon the ruins of his rival. Without the invidious name of protector, he succeeded to all the power and influence of which Somerset was deprived, and he quickly found peace to be necessary for the establishment of his new authority, and the execution of the vast designs he had conceived.

Peace concluded. Henry was no stranger to Warwick's situation, and improved his knowledge of it to good purpose, in conducting the negotiation for a general peace. He prescribed what terms he pleased to the English minister, who scrupled at nothing, however advantageous to that monarch and his allies. England consented to March 24, 1550. restore Boulogne and its dependencies to France, and gave up all pretensions to a treaty of marriage with the queen of Scots, or to the conquest of her country. A few small forts, of which the English troops had hitherto kept possession, were rased; and peace between the two kingdoms was established on its ancient foundation.

Both the British nations lost power, as well as reputation, by this unhappy quarrel. It was on both sides a war of emulation and resentment, rather than of interest; and

was carried on under the influence of national animosities, which were blind to all advantages. The French, who entered it with greater coolness, conducted it with more skill; and by dexterously availing themselves of every circumstance which occurred, recovered possession of an important territory which they had lost, and added to their monarchy a new kingdom. The ambition of the English minister betrayed to them the former; the inconsiderate rage of the Scots against their ancient enemies bestowed on them the latter; their own address and good policy merited both.

The Scots become jealous of the French. Immediately after the conclusion of the peace, the French forces left Scotland, as much to their own satisfaction, as to that of the nation. The Scots soon found, that the calling to their assistance a people more powerful than themselves, was a dangerous expedient. They beheld, with the utmost impatience, those who had come over to protect the kingdom, taking upon them to command in it; and on many occasions they repented the rash invitation which they had given. The peculiar genius of the French nation heightened this disgust, and prepared the Scots so throw off the yoke, before they had well begun to feel it. The French were, in that age, what they are in the present, one of the most polished nations in Europe. But it is to be observed, in all their expeditions into foreign countries, whether towards the south or north, that their manners have been remarkably incompatible with the manners of every other people. Barbarians are tenacious of their own customs, because they want knowledge and taste to discover the reasonableness and propriety of customs which differ from them. Nations, which hold the first rank in politeness, are frequently no less tenacious out of pride. The Greeks were so in the ancient world; and the French are the same in the modern. Full of themselves; flattered by the imitation of their neighbours; and accustomed to consider their own modes as the standards of elegance; they scorn to disguise, or to lay aside, the

distinguishing manners of their own nations, or to make any allowance for what may differ from them among others. For this reason, the behaviour of their armies has, on every occasion, been insupportable to strangers, and has always exposed them to hatred, and often to destruction. In that age, they overran Italy four several times by their valour, and lost it as often by their insolence. The Scots, naturally an irascible and high-spirited people, and who, of all nations, can least bear the most distant insinuation of contempt, were not of a temper to admit all the pretensions of such assuming guests. The symptoms of alienation were soon visible; they seconded the military operations of the French troops with the utmost coldness; their disgust grew insensibly to a degree of indignation that could hardly be restrained; and on occasion of a very slight accident, broke out with fatal violence. A private French soldier engaging in an idle quarrel with a citizen of Edinburgh, both nations took arms with equal rage, in defence of their countrymen. The provost of Edinburgh, his son, and several citizens of distinction, were killed in the fray; and the French were obliged to avoid the fury of the inhabitants, by retiring out of the city. Notwithstanding the ancient alliance of France and Scotland, and the long intercourse of good offices between the two nations, an aversion for the French took its rise at this time among the Scots, the effects whereof were deeply felt, and operated powerfully through the subsequent period.

Progress  
of the Re-  
formation.

From the death of cardinal Beatoun, nothing has been said of the state of religion. While the war with England continued, the clergy had no leisure to molest the Protestants; and they were not yet considerable enough to expect any thing more than connivance and impunity. The new doctrines were still in their infancy; but during this short interval of tranquillity, they acquired strength, and advanced by large and firm steps towards a full establishment in the kingdom. The first preachers against Popery in Scotland, of whom several had appeared during the reign of James V., were more emi-

nent for zeal and piety, than for learning. Their acquaintance with the principles of the Reformation was partial, and at second hand; some of them had been educated in England; all of them had borrowed their notions from the books published there; and in the first dawn of the new light, they did not venture far before their leaders. But in a short time the doctrines and writings of the foreign reformers became generally known; the inquisitive genius of the age pressed forward in quest of truth; the discovery of one error opened the way to others: the downfall of one impostor drew many after it; the whole fabric, which ignorance and superstition had erected in time of darkness, began to totter; and nothing was wanting to complete its ruin, but a daring and active leader to direct the attack. Such was the famous John Knox, who, with better qualifications of learning, and more extensive views, than any of his predecessors in Scotland, possessed a natural intrepidity of mind, which set him above fear. He began his public ministry at St. Andrew's in the year 1547, with that success which always accompanies a bold and popular eloquence. Instead of amusing himself with lopping the branches, he struck directly at the root of Popery, and attacked both the doctrine and discipline of the established church with a vehemence peculiar to himself, but admirably suited to the temper and wishes of the age.

An adversary so formidable as Knox, would not have easily escaped the rage of the clergy, who observed the tendency and progress of his opinions with the utmost concern. But, at first, he retired for safety into the castle of St. Andrew's, and, while the conspirators kept possession of it, preached publicly under their protection. The great revolution in England, which followed upon the death of Henry VIII., contributed no less than the zeal of Knox towards demolishing the Popish church in Scotland. Henry had loosened the chains, and lightened the yoke of Popery. The ministers of his son Edward VI. cast them off altogether, and established the Protestant religion upon almost the same footing whereon it now stands in that kingdom.



The influence of this example reached Scotland, and the happy effects of ecclesiastical liberty in one nation, inspired the other with an equal desire of recovering it. The reformers had, hitherto, been obliged to conduct themselves with the utmost caution, and seldom ventured to preach, but in private houses, and at a distance from court; they gained credit, as happens on the first publication of every new religion, chiefly among persons in the lower and middle rank of life. But several noblemen, of the greatest distinction, having, about this time, openly espoused their principles, they were no longer under the necessity of acting with the same reserve; and, with more security and encouragement, they had likewise greater success. The means of acquiring and spreading knowledge became more common, and the spirit of innovation, peculiar to that period, grew every day bolder and more universal.

Happily for the Reformation, this spirit was still under some restraint. It had not yet attained firmness and vigour sufficient to overturn a system founded on the deepest policy, and supported by the most formidable power. Under the present circumstances, any attempt towards action must have been fatal to the Protestant doctrines; and it is no small proof of the authority, as well as penetration of the heads of the party, that they were able to restrain the zeal of a fiery and impetuous people, until the critical and mature juncture, when every step they took was decisive and successful.

Meanwhile their cause received reinforcement from two different quarters whence they never could have expected it. The ambition of the house of Guise, and the bigotry of Mary of England, hastened the subversion of the papal throne in Scotland; and, by a singular disposition of Providence, the persons who opposed the Reformation in every other part of Europe with the fiercest zeal, were made instruments for advancing it in that kingdom.

The  
queen-  
dowager  
aspires to  
the office  
of regent.

Mary of Guise possessed the same bold and aspiring spirit which distinguished her family. But in her it was softened by the female character, and accompanied with great temper and address. Her brothers,

rity of the queen-dowager, the disaffection of the nobles, with the danger of an after-reckoning, were represented in the strongest colours.

It was not possible to agree to a proposal so extraordinary and unexpected, without some previous struggle; and, had the archbishop of St. Andrew's been present to fortify the irresolute and passive spirit of the regent, he, in all probability, would have rejected it with disdain. Happily for the queen, the sagacity and ambition of that prelate could, at this time, be no obstruction to her views. He was lying at the point of death, and in his absence the influence of the queen's agents on a flexible temper, counterbalanced several of the strongest passions of the human mind, and obtained his consent to a voluntary surrender of the supreme power.

Dec. 1551. After gaining a point of such difficulty with so much ease, the queen returned into Scotland, in full expectation of taking immediate possession of her new dignity. But by this time the archbishop of St. Andrew's had recovered of that distemper, which the ignorance of the Scottish physician had pronounced to be incurable. This he owed to the assistance of the famous Cardan, one of those irregular adventurers in philosophy, of whom Italy produced so many about this period. A bold genius led him to some useful discoveries, which merit the esteem of a more discerning age; a wild imagination engaged him in those chimerical sciences, which drew the admiration of his contemporaries. As a pretender to astrology and magic, he was revered and consulted by all Europe; as a proficient in natural philosophy, he was but little known. The archbishop, it is probable, considered him as a powerful magician, when he applied to him for relief; but it was his knowledge as a philosopher, which enabled him to cure his disease.<sup>†</sup>

Together with his health, the archbishop recovered the

<sup>†</sup> Cardan himself was more desirous of being considered as an astrologer than a philosopher; in his book *De Genituris*, we find a calculation of the archbishop's nativity, from which he pretends both to have predicted his disease, and to have effected his cure. He received from the archbishop a reward of 1800 crowns! a great sum in that age. *De vita sua*, p. 32.

entire government of the regent, and quickly persuaded him to recall that dishonourable promise, which he had been seduced by the artifices of the queen to grant. However great her surprise and indignation were, at this fresh instance of his inconstancy, she was obliged to dissemble, that she might have leisure to renew her intrigues with all parties; with the Protestants, whom she favoured and courted more than ever; with the nobles, to whom she rendered herself agreeable by various arts; and with the regent himself, in order to gain whom, she employed every argument. But, whatever impressions her emissaries might have made on the regent, it was no easy matter to overreach or to intimidate the archbishop. Under his management the negotiations were spun out to a great length, and his brother maintained his station with that address and firmness, which its importance so well merited. The universal defection of the nobility, the growing power of the Protestants, who all adhered to the queen-dowager, the reiterated solicitations of the French king, and, above all, the interposition of the young queen, who was now entering the twelfth year of her age, and claimed a right of nominating whom she pleased to be regent,<sup>u</sup> obliged him at last to resign that high office, which he had held many years. He obtained, however, the same advantageous terms for himself, which had been formerly stipulated.

She obtains the regency.

It was in the parliament which met on the 10th of April, 1554, that the earl of Arran executed this extraordinary resignation; and at the same time Mary of Guise was raised to that dignity, which had been so long the object of her wishes. Thus, with their own approbation, a woman and a stranger was advanced to the supreme authority over a fierce and turbulent people, who seldom submitted, without reluctance, to the legal and ancient government of their native monarchs.

Reformation continues to

While the queen dowager of Scotland contributed so much towards the progress of the Reformation

<sup>u</sup> Lesley, de Reb. Gest. Scot. ap. Jeb. 1. 187.

make great progress. July 6, 1553. by the protection which she afforded it, from motives of ambition, the English queen, by her indiscreet zeal, filled the kingdom with persons active in promoting the same cause. Mary ascended the throne of England on the death of her brother Edward, and soon after married Philip II. of Spain. To the persecuting spirit of the Romish superstition, and the fierceness of that age, she added the private resentment of her own and of her mother's sufferings, with which she loaded the reformed religion; and the peevishness and severity of her natural temper carried the acrimony of all these passions to the utmost extreme. The cruelty of her persecution equalled the deeds of those tyrants who have been the greatest reproach to human nature. The bigotry of her clergy could scarce keep pace with the impetuosity of her zeal. Even the unrelenting Philip was obliged, on some occasions, to mitigate the rigour of her proceedings. Many among the most eminent reformers suffered for the doctrines which they had taught; others fled from the storm. To the greater part of these, Switzerland and Germany opened a secure asylum; and not a few, out of choice or necessity, fled into Scotland. What they had seen and felt in England, did not abate the warmth and zeal of their indignation against Popery. Their attacks were bolder and more successful than ever; and their doctrines made a rapid progress among all ranks of men.

These doctrines, calculated to rectify the opinions, and to reform the manners, of mankind, had hitherto produced no other effects; but they soon began to operate with greater violence, and proved the occasion, not only of subverting the established religion, but of shaking the throne and endangering the kingdom. The causes which facilitated the introduction of these new opinions into Scotland, and which disseminated them so fast through the nation, merit, on that account, a particular and careful inquiry. The Reformation is one of the greatest events in the history of mankind, and, in whatever point of light we view it, is instructive and interesting.

A view of the political causes which contributed to-  
wards that.

The revival of learning in the fifteenth and sixteenth centuries roused the world from that lethargy in which it had been sunk for many ages. The human mind felt its own strength, broke the fetters of authority by which it had been so long restrained, and venturing to move in a larger sphere, pushed its inquiries into every subject, with great boldness and surprising success.

No sooner did mankind recover the capacity of exercising their reason, than religion was one of the first objects which drew their attention. Long before Luther published his famous Theses, which shook the papal throne, science and philosophy had laid open to many of the Italians, the imposture and absurdity of the established superstition. That subtle and refined people, satisfied with enjoying those discoveries in secret, were little disposed to assume the dangerous character of reformers, and concluded the knowledge of truth to be the prerogative of the wise, while vulgar minds must be overawed and governed by popular errors. But, animated with a more noble and disinterested zeal, the German theologian boldly erected the standard of truth, and upheld it with an unconquerable intrepidity, which merits the admiration and gratitude of all succeeding ages.

The occasion of Luther's being first disgusted with the tenets of the Romish church, and how, from a small rupture, the quarrel widened into an irreparable breach, is known to every one who has been the least conversant in history. From the heart of Germany his opinions spread, with astonishing rapidity, all over Europe; and, wherever they came, endangered or overturned the ancient, but ill-founded, system. The vigilance and address of the court of Rome, co-operating with the power and bigotry of the Austrian family, suppressed these notions on their first appearance, in the southern kingdoms of Europe. But the fierce spirit of the north, irritated by multiplied impositions, could neither be mollified by the same arts, nor subdued by the same force; and, encouraged by some princes

from piety, and by others out of avarice, it easily bore down the feeble opposition of an illiterate and immoral clergy.

The superstition of Popery seem to have grown to the most extravagant height in those countries which are situated towards the different extremities of Europe. The vigour of imagination, and sensibility of frame, peculiar to the inhabitants of southern climates, rendered them susceptible of the deepest impressions of superstitious terror and credulity. Ignorance and barbarity were no less favourable to the progress of the same spirit among the northern nations. They knew little, and were disposed to believe every thing. The most glaring absurdities did not shock their gross understandings, and the most improbable fictions were received with implicit assent and admiration.

Accordingly, that form of Popery which prevailed in Scotland was of the most bigoted and illiberal kind. Those doctrines which are most apt to shock the human understanding, and those legends which farthest exceed belief, were proposed to the people without any attempt to palliate or disguise them; nor did they ever call in question the reasonableness of the one, or the truth of the other.

The power and wealth of the church kept pace with the progress of superstition; for it is the nature of that spirit to observe no bounds in its respect and liberality towards those whose character it esteems sacred. The Scottish kings early demonstrated how much they were under its influence, by their vast additions to the immunities and riches of the clergy. The profuse piety of David I., who acquired on that account the name of saint, transferred almost the whole crown lands, which were at that time of great extent, into the hands of ecclesiastics. The example of that virtuous prince was imitated by his successors. The spirit spread among all orders of men, who daily loaded the priesthood with new possessions. The riches of the church all over Europe were exorbitant; but Scotland was

one of those countries wherein they had farthest exceeded the just proportion. The Scottish clergy paid one-half of every tax imposed on land ; and as there is no reason to think that in that age they would be loaded with any unequal share of the burden, we may conclude that, by the time of the Reformation, little less than one-half of the national property had fallen into the hands of a society, which is always acquiring, and can never lose.

The nature, too, of a considerable part of their property extended the influence of the clergy. Many estates throughout the kingdom held of the church ; church lands were let in lease at an easy rent, and were possessed by the younger sons and descendants of the best families.\* The connexion between *superior* and *vassal*, between landlord and tenant, created dependencies, and gave rise to a union of great advantage to the church ; and in estimating the influence of the Popish ecclesiastics over the nation, these, as well as the real amount of their revenues, must be attended to, and taken into the account.

This extraordinary share in the national property was accompanied with proportionable weight in the supreme council of the kingdom. At a time when the number of the temporal peers was extremely small, and when the lesser barons and representatives of boroughs seldom attended parliaments, the ecclesiastics formed a considerable body there. It appears from the ancient rolls of parliament, and from the manner of choosing the lords of articles, that the proceedings of that high court must have been, in a great measure, under their direction.†

The reverence due to their sacred character, which was often carried incredibly far, contributed not a little towards the growth of their power. The dignity, the titles, and precedence of the Popish clergy, are remarkable, both as causes and effects of that dominion which they had acquired over the rest of mankind. They were regarded by the credulous laity as beings of a superior species ; they were neither subject to the same laws, nor tried by the same

\* Keith, 521. Note (b)

† Spots. Hist. of the Church of Scotland.

judges.<sup>2</sup> Every guard that religion could supply, was placed around their power, their possessions, and their persons; and endeavours were used, not without success, to represent them all as equally sacred.

The reputation for learning, which, however inconsiderable, was wholly engrossed by the clergy, added to the reverence which they derived from religion. The principles of sound philosophy, and of a just taste, were altogether unknown; in place of these were substituted studies barbarous and uninformative; but as the ecclesiastics alone were conversant in them, this procured them esteem; and a very slender portion of knowledge drew the admiration of rude ages, which knew little. War was the sole profession of the nobles, and hunting their chief amusement; they divided their time between these: unacquainted with the arts, and unimproved by science, they disdained any employment foreign from military affairs, or which required rather penetration and address, than bodily vigour. Wherever the former were necessary, the clergy were intrusted; because they alone were properly qualified for the trust. Almost all the high offices in civil government devolved on this account, into their hands. The lord chancellor was the first subject in the kingdom, both in dignity and in power. From the earliest ages of the monarchy, to the death of cardinal Beaton, fifty-four persons had held that high office; and of these forty-three had been ecclesiastics.<sup>a</sup> The lords of session were supreme judges in all matters of civil right; and, by its original constitution, the president and one-half of the senators in this court were churchmen.

To all this we may add, that the clergy, being separated from the rest of mankind by the law of celibacy, and undistracted by those cares, and unencumbered with those bur-

<sup>2</sup> How far this claim of the clergy to exemption from lay jurisdiction extended, appears from a remarkable transaction in the parliament held in 1546. When that court was proceeding to the forfeiture of the murderers of cardinal Beaton, and were about to include a priest, who was one of the assassins, in the general sentence of condemnation, odious as the crime was to the ecclesiastics, a delegate appeared in name of the clerical courts, and *repledged* or claimed exemption of him from the judgment of parliament, *as a spiritual man*. This claim was sustained; and his name is not inserted in the act of forfeiture. Epist. Reg. Scot. ii. 350. 361.

<sup>a</sup> Crawf. Offic. of State.



dens, which occupy and oppress other men, the interest of their order became their only object, and they were at full leisure to pursue it.

The nature of their functions gave them access to all persons, and at all seasons. They could employ all the motives of fear and of hope, of terror and of consolation, which operate most powerfully on the human mind. They haunted the weak and the credulous; they besieged the beds of the sick and of the dying; they suffered few to go out of the world without leaving marks of their liberality to the church, and taught them to compound with the Almighty for their sins, by bestowing riches upon those who called themselves his servants.

When their own industry, or the superstition of mankind, failed of producing this effect, the ecclesiastics had influence enough to call in the aid of law. When a person died *intestate*, the disposal of his effects was vested in the bishop of the diocess, after paying his funeral charges and debts, and distributing among his kindred the sums to which they were respectively entitled; it being presumed that no Christian would have chosen to leave the world without destining some part of his substance to pious uses.<sup>b</sup> As men are apt to trust to the continuance of life with a long confidence, and childishly shun every thing that forces them to think of their mortality, many die without settling their affairs by will; and the right of administration in that event, acquired by the clergy, must have proved a considerable source both of wealth and of power to the church.

At the same time, no matrimonial or testamentary cause could be tried but in the spiritual courts, and by laws which the clergy themselves had framed. The penalty, too, by which the decisions of these courts were enforced, added to their authority. A sentence of excommunication was no less formidable than a sentence of outlawry. It was pronounced on many occasions, and against various crimes; and, besides excluding those, upon whom it fell, from Chris-

<sup>b</sup> Essays on Brit. Antiq. 174. Annals of Scotland, by Sir David Dalrymple, vol. i. Append. No. ii.

tian privileges, it deprived them of all their rights as men, or as citizens; and the aid of the secular power concurred with the superstition of mankind, in rendering the thunders of the church no less destructive than terrible.

To these general causes may be attributed the immense growth both of the wealth and power of the Popish church; and, without entering into any more minute detail, this may serve to discover the foundations on which a structure so stupendous was erected.

But though the laity had contributed, by their own superstition and profuseness, to raise the clergy from poverty and obscurity to riches and eminence, they began, by degrees, to feel and to murmur at their encroachments. No wonder haughty and martial barons should view the power and possessions of the church with envy; and regard the lazy and inactive character of churchmen with the utmost contempt; while, at the same time, the indecent and licentious lives of the clergy gave great and just offence to the people, and considerably abated the veneration which they were accustomed to yield to that order of men.

Immense wealth, extreme indolence, gross ignorance, and, above all, the severe injunction of celibacy, had concurred to introduce this corruption of morals among many of the clergy, who presuming too much upon the submission of the people, were at no pains either to conceal or to disguise their own vices. According to the accounts of the reformers, confirmed by several Popish writers, the most open and scandalous dissoluteness of manners prevailed among the Scottish clergy.<sup>c</sup> Cardinal Beatoun, with the same public pomp which is due to a legitimate child, celebrated the marriage of his natural daughter with the earl of Crawford's son;<sup>d</sup> and, if we may believe Knox, he publicly continued to the end of his days a criminal correspondence with her mother, who was a woman of rank. The other prelates seem not to have been more regular and exemplary than their primate.<sup>e</sup>

Winzet. ap. Keith, Append. 202. 205. Lesley. de Reb. Gest. Scot. 232.

<sup>d</sup> The marriage articles, subscribed with his own hand, in which he calls her *my daughter*, are still extant. Keith, p. 42.

<sup>e</sup> A remarkable proof of the dissolute manners of the clergy is found in the public

Men of such characters ought, in reason, to have been alarmed at the first clamours raised against their own morals, and the doctrines of the church, by the Protestant preachers; but the Popish ecclesiastics, either out of pride or ignorance, neglected the proper methods for silencing them. Instead of reforming their lives, or disguising their vices, they affected to despise the censures of the people. While the reformers, by their mortifications and austerities, endeavoured to resemble the first propagators of Christianity, the Popish clergy were compared to all those persons who are most infamous in history for the enormity and scandal of their crimes.

On the other hand, instead of mitigating the rigour, or colouring over the absurdity of the established doctrines; instead of attempting to found them upon Scripture, or to reconcile them to reason; they left them without any other support or recommendation, than the authority of the church, and the decrees of councils. The fables concerning purgatory, the virtues of pilgrimage, and the merits of saints, were the topics on which they insisted in their discourses to the people; and the duty of preaching being left wholly to monks of the lowest and most illiterate orders, their compositions were still more wretched and contemptible, than the subjects on which they insisted. While the reformers were attended by crowded and admiring audiences, the Popish preachers were either universally deserted, or listened to with scorn.

The only device which they employed in order to recover their declining reputation, or to confirm the wavering faith of the people, was equally imprudent and unsuccessful. As many doctrines of their church had derived their credit at first from the authority of false miracles, they now endeavoured to call in these to their aid.<sup>f</sup> But such lying

records. A greater number of letters of *legitimation* was granted during the first thirty years after the Reformation, than during the whole period that has elapsed since that time. These were obtained by the sons of the Popish clergy. The ecclesiastics, who were allowed to retain their benefices, alienated them to their children; who, when they acquired wealth, were desirous that the stain of illegitimacy might no longer remain upon their families. In *Keith's Catalogue of the Scottish Bishops*, we find several instances of such alienations of church lands, by the Popish incumbents to their natural children.

<sup>f</sup> Spotswood, 69.

wonders, as were beheld with unsuspicious admiration, or heard with implicit faith, in times of darkness and of ignorance, met with a very different reception in a more enlightened period. The vigilance of the reformers detected these impostures, and exposed not only them, but the cause which needed the aid of such artifices, to ridicule.

As the Popish ecclesiastics became more and more the objects of hatred and of contempt, the discourses of the reformers were listened to as so many calls to liberty ; and, besides the pious indignation which they excited against those corrupt doctrines which had perverted the nature of true Christianity ; besides the zeal which they inspired for the knowledge of truth and the purity of religion ; they gave rise also, among the Scottish nobles, to other views and passions. They hoped to shake off the yoke of ecclesiastical dominion, which they had long felt to be oppressive, and which they now discovered to be unchristian. They expected to recover possession of the church revenues, which they were now taught to consider as alienations made by their ancestors, with a profusion no less undiscerning than unbounded. They flattered themselves, that a check would be given to the pride and luxury of the clergy, who would be obliged, henceforward, to confine themselves within the sphere peculiar to their sacred character. An aversion from the established church, which flowed from so many concurring causes, which was raised by consideration of religion, heightened by motives of policy, and instigated by prospects of private advantage, spread fast through the nation, and excited a spirit, that burst out, at last, with irresistible violence.

Religious considerations alone were sufficient to have roused this spirit. The points in controversy with the church of Rome were of so much importance to the happiness of mankind, and so essential to Christianity, that they merited all the zeal with which the reformers contended in order to establish them. But the Reformation having been represented as the effect of some wild and enthusiastic frenzy in the human mind, this attempt to account for the

eagerness and zeal with which our ancestors embraced and propagated the Protestant doctrines, by taking a view of the political motives alone which influenced them, and by shewing how naturally these prompted them to act with so much ardour, will not, perhaps, be deemed an unnecessary digression. We now return to the course of the history.

1554. The queen's elevation to the office of regent seems to have transported her, at first, beyond the known prudence and moderation of her character. She began her administration, by conferring upon foreigners several offices of trust and of dignity; a step which, both from the inability of strangers to discharge these offices with propriety, and from the envy which their preferment excites among the natives, is never attended with good consequences. Vilmort was made comptroller, and intrusted with the management of the public revenues; Bonot was appointed governor of Orkney; and Rubay honoured with the custody of the great seal, and the title of vice-chancellor.<sup>§</sup> It was with the highest indignation, that the Scots beheld the offices of the greatest eminence and authority dealt out among strangers.<sup>h</sup> By these promotions they conceived the queen to have offered an insult both to their understandings and to their courage; to the former, by supposing them unfit for those stations which their ancestors had filled with so much dignity; to the latter, by imagining that they were tame enough not to complain of an affront, which, in no former age, would have been tolerated with impunity.

While their minds were in this disposition, an incident happened which inflamed their aversion from French councils to the highest degree. Ever since the famous contest between the houses of Valois and Plantagenet, the French had been accustomed to embarrass the English, and to divide their strength by the sudden and formidable incursions of their allies, the Scots. But, as these inroads were

<sup>§</sup> Lesley de Reb. Gest. Scot. 189.

<sup>h</sup> The resentment of the nation against the French rose to such a height, that an act of parliament was passed on purpose to restrain or moderate it. Parl. 6. Q. Mary, c. 60.

seldom attended with any real advantage to Scotland, and exposed it to the dangerous resentment of a powerful neighbour, the Scots began to grow less tractable than formerly, and scrupled any longer to serve an ambitious ally at the price of their own quiet and security. The change, too, which was daily introducing in the art of war, rendered the assistance of the Scottish forces of less importance to the French monarch. For these reasons, Henry, having resolved upon a war with Philip II. and foreseeing that the queen of England would take part in her husband's quarrel, was extremely solicitous to secure in Scotland the assistance of some troops, which would be more at his command than an undisciplined army, led by chieftains who were almost independent. In prosecution of this design, but under pretence of relieving the nobles from the expense and

<sup>1555.</sup> danger of defending the borders, the queen-regent proposed in parliament, to register the value of lands throughout the kingdom, to impose on them a small tax, and to apply that revenue towards maintaining a body of regular troops in constant pay. A fixed tax upon land, which the growing expense of government hath introduced into almost every part of Europe, was unknown at that time, and seemed altogether inconsistent with the genius of feudal policy. Nothing could be more shocking to a generous and brave nobility, than the intrusting to mercenary hands the defence of those territories which had been acquired, or preserved, by the blood of their ancestors. They received this proposal with the utmost dissatisfaction. About three hundred of the lesser barons repaired in a body to the queen-regent, and represented their sense of the intended innovation, with that manly and determined boldness which is natural to a free people in a martial age. Alarmed at a remonstrance delivered in so firm a tone, and supported by such formidable numbers, the queen prudently abandoned a scheme, which she found to be universally odious. As the queen herself was known perfectly to understand the circumstances and temper of the nation, this measure was

imputed wholly to the suggestions of her foreign counselors; and the Scots were ready to proceed to the most violent extremities against them.

Attempts to engage the kingdom in a war with England. The French, instead of extinguishing, added fuel to the flame. They had now commenced hostilities against Spain, and Philip had prevailed on the queen of England to reinforce his army with a considerable body of her troops. In order to deprive him of this aid, Henry had recourse, as he projected, to the Scots; and attempted to excite them to invade England. But as Scotland had nothing to dread from a princess of Mary's character, who, far from any ambitious scheme of disturbing her neighbours, was wholly occupied in endeavouring to reclaim her heretical subjects; the nobles, who were assembled by the queen-regent at Newbattle, listened to the solicitations of the French monarch with extreme coldness, and prudently declined engaging the kingdom in an enterprise so dangerous and unnecessary. What she could not obtain by persuasion, the queen-regent brought about by a stratagem. Notwithstanding the peace which subsisted between the two kingdoms, she commanded her French soldiers to rebuild a small fort near Berwick, which was appointed, by the last treaty to be rased. The garrison of Berwick sallied out, interrupted the work, and ravaged the adjacent country. This insult roused the fiery spirit of the Scots, and their promptness to revenge the least appearance of national injury, dissipated, in a moment, the wise and pacific resolutions which they had so lately formed. War was determined, and orders instantly given for raising a numerous army. But before their forces could assemble, the ardour of their indignation had time to cool, and the English having discovered no intention to push the war with vigour, the nobles resumed their pacific system, and resolved to stand altogether upon the defensive. They marched to the banks of the

1556.

Tweed, they prevented the incursions of the enemy; and having done what they thought sufficient for the safety and honour of their country, the queen could not in-

duce them, either by her entreaties or her artifices, to advance another step.

While the Scots persisted in their inactivity, D'Oysel, the commander of the French troops, who possessed entirely the confidence of the queen-regent, endeavoured, with her connivance, to engage the two nations in hostilities. Contrary to the orders of the Scottish general, he marched over the Tweed with his own soldiers, and invested Werk-castle, a garrison of the English. The Scots, instead of seconding his attempt, were enraged at his presumption. The queen's partiality towards France had long been suspected; but it was now visible that she wantonly sacrificed the peace and safety of Scotland to the interest of that ambitious and assuming ally. Under the feudal governments, it was in camps that subjects were accustomed to address the boldest remonstrances to their sovereigns. While arms were in their hands, they felt their own strength; and at that time their representations of grievances carried the authority of commands. On this occasion, the resentment of the nobles broke out with such violence, that the queen, perceiving all attempts to engage them in action to be vain, abruptly dismissed her army, and retired with the utmost shame and disgust; having discovered the impotence of her own authority, without effecting any thing which could be of advantage to France.<sup>1</sup>

It is observable, that this first instance of contempt for the regent's authority can, in no degree, be imputed to the influence of the new opinions in religion. As the queen's pretensions to the regency had been principally supported by those who favoured the Reformation, and as she still needed them for a counterpoise to the archbishop of St. Andrew's, and the partisans of the house of Hamilton, she continued to treat them with great respect, and admitted them to no inconsiderable share in her favour and confidence. Kirkaldy of Grange, and the other surviving conspirators against cardinal Beatoun, were, about this time, recalled by her from banishment; and, through her con-

<sup>1</sup> Strype's Memor. iii. App. 274. Lesley, 196.



nivance, the Protestant preachers enjoyed an interval of tranquillity, which was of great advantage to their cause. Soothed by these instances of the queen's moderation and humanity, the Protestants left to others the office of remonstrating; and the leaders of the opposite factions set them the first example of disputing the will of their sovereign.

The queen's marriage with the dauphin. As the queen-regent felt how limited and precarious her authority was, while it depended on the poise of these contrary factions, she endeavoured to establish it on a broader and more secure foundation, by hastening the conclusion of her daughter's marriage with the dauphin. Amiable as the queen of Scots then was, in the bloom of youth, and considerable as the territories were, which she would have added to the French monarchy; reasons were not wanting to dissuade Henry from completing his first plan of marrying her to his son. The constable Montmorency had employed all his interest to defeat an alliance which reflected so much lustre on the princes of Lorraine. He had represented the impossibility of maintaining order and tranquillity among a turbulent people, during the absence of their sovereign; and for that reason had advised Henry to bestow the young queen upon one of the princes of the blood, who, by residing in Scotland, might preserve that kingdom a useful ally to France, which by a nearer union to the crown, would become a mutinous and ungovernable province.<sup>k</sup> But at this time the constable was a prisoner in the hands of the Spaniards; the princes of Lorraine were at the height of their power; and their influence, seconded by the charms of the young queen, triumphed over the prudent, but envious remonstrances of their rival.

Dec. 14, 1557. The French king accordingly applied to the parliament of Scotland, which appointed eight of its members<sup>1</sup> to represent the whole body of the nation, at the marriage of the queen. Among the persons on whom the

<sup>k</sup> Melv. Mem. 15.

<sup>1</sup> Viz. The archbishop of Glasgow, the bishop of Ross, the bishop of Orkney, the earls of Rothes and Cassils, lord Fleming, lord Seton, the prior of St. Andrew's, and John Erskine of Dun.

public choice conferred this honourable character, were some of the most avowed and zealous advocates for the Reformation; by which may be estimated the degree of respect and popularity which that party had now attained in the kingdom. The instructions of the parliament to those commissioners still remain,<sup>m</sup> and do honour to the wisdom and integrity of that assembly. At the same time that they manifested, with respect to the articles of marriage, a laudable concern for the dignity and interest of their sovereign, they employed every precaution which prudence could dictate, for preserving the liberty and independence of the nation, and for securing the succession of the crown in the house of Hamilton.

Artifices of the French in the marriage treaty. With regard to each of these, the Scots obtained whatever satisfaction their fear or jealousy could demand. The young queen, the dauphin, and the king of France, ratified every article with the most solemn oaths, and confirmed them by deeds in form under their hands and seals. But on the part of France, all this was one continued scene of studied and elaborate deceit. Previous to these public transactions with the Scottish deputies, Mary had been persuaded to subscribe privately three deeds, equally unjust and invalid; by which, failing the heirs of her own body, she conferred the kingdom of Scotland, with whatever inheritance or succession might accrue to it, in free gift upon the crown of France, declaring all promises to the contrary, which the necessity of her affairs, and the solicitations of her subjects, had extorted, or might extort from her, to be void and of no obligation.<sup>n</sup> As it gives us a proper idea of the character of the French court under Henry II., we may observe that the king himself, the keeper of the great seals, the duke of Guise, and the cardinal of Lorraine, were the persons engaged in conducting this perfidious and dishonourable project. The queen of Scots was the only innocent actor in that scene of iniquity. Her youth, her inexperience, her education in a foreign country, and her deference to the will of her un-

<sup>m</sup> Keith, Append. 13.

<sup>n</sup> Corps Diplomat. tom. v. 21. Keith, 73.

cles, must go far towards vindicating her, in the judgment of every impartial person, from any imputation of blame on that account.

This grant, by which Mary bestowed the inheritance of her kingdom upon strangers, was concealed with the utmost care from her subjects. They seem, however, not to have been unacquainted with the intention of the French to overturn the settlement of the succession in favour of the duke of Chatelherault. The zeal with which the archbishop of St. Andrew's opposed all the measures of the queen-regent, evidently proceeded from the fears and suspicions of that prudent prelate on this head.<sup>o</sup>

April 14, 1558. The marriage, however, was celebrated with great pomp; and the French, who had hitherto affected to draw a veil over their designs upon Scotland, began now to unfold their intentions without any disguise. In the treaty of marriage, the deputies had agreed that the dauphin should assume the name of king of Scotland. This they considered only as an honorary title; but the French laboured to annex to it some solid privileges and power. They insisted that the dauphin's title should be publicly recognised; that the *crown matrimonial* should be conferred upon him; and that all the rights pertaining to the husband of a queen should be vested in his person. By the laws of Scotland, a person who married an heiress, kept possession of her estate during his own life, if he happened to survive her and the children born of the marriage.<sup>p</sup> This was called the *courtesy of Scotland*. The French aimed at applying this rule, which takes place in private inheritances, to the succession of the kingdom; and that seems to be implied in their demand of the *crown matrimonial*, a phrase peculiar to the Scottish historians, and which they have neglected to explain.<sup>q</sup> As the French

<sup>o</sup> About this time the French seem to have had some design of reviving the earl of Lennox's pretensions to the succession, in order to intimidate and alarm the duke of Chatelherault. Haynes, 215. 219. Forbes's Collect. vol. i. 189.

<sup>p</sup> Reg. Mag. lib. ii. 58.

<sup>q</sup> As far as I can judge, the husband of the queen, by the grant of the *crown matrimonial*, acquired a right to assume the title of king, to have his name stamped upon the current coin, to sign all public instruments together with the queen. In consequence of this, the subjects took an oath of fidelity to him. Keith, App. 20. His authority

had reason to expect difficulties in carrying through this measure, they began with sounding the deputies who were then at Paris. The English, in the marriage-articles between their queen and Philip of Spain, had set an example to the age, of that prudent jealousy and reserve with which a foreigner should be admitted so near the throne. Full of the same ideas, the Scottish deputies had, in their oath of allegiance to the dauphin, expressed themselves with remarkable caution.<sup>r</sup> Their answer was in the same spirit, respectful, but firm; and discovered a fixed resolution of consenting to nothing that intended to introduce any alteration in the order of succession to the crown.

Four of the deputies<sup>s</sup> happening to die before they returned into Scotland, this accident was universally imputed to the effects of poison, which was supposed to have been given them by the emissaries of the house of Guise. The historians of all nations discover an amazing credulity with respect to rumours of this kind, which are so well calculated to please the malignity of some men, and to gratify the love of the marvellous which is natural to all, that in every age they have been swallowed without examination, and believed contrary to reason. No wonder the Scots should easily give credit to a suspicion, which received such strong colours of probability, both from their own resentment, and of the known character of the princes of Lorrain, so little scrupulous about the justice of the ends which they pursued, or of the means which they employed. For the honour of human nature, however, it must be observed, that as we can discover no motive which could induce any man to perpetrate such a crime, so there appears no evidence to prove that it was committed. But the Scots of that age, influenced by national animosities and

became, in some measure, co-ordinate with that of the queen; and without his concurrence, manifested by signing his name, no public deed seems to have been considered as valid. By the oath of fidelity of the Scottish commissioners to the dauphin, it is evident that, in their opinion, the rights belonging to the *crown matrimonial* subsisted only during the continuance of the marriage. Keith, App. 20. But the conspirators against Rizio bound themselves to procure a grant of the *crown matrimonial* to Darnley, during all the days of his life. Keith, App. 120. Good. i. 227.

<sup>r</sup> Keith, App. 20.

<sup>s</sup> The bishop of Orkney, the earl of Rothes, the earl of Cassils, and lord Fleming.

prejudices, were incapable of examining the circumstances of the case with calmness, or of judging concerning them with candour. All parties agreed in believing the French to have been guilty of this detestable action; and it is obvious how much this tended to increase the aversion for them, which was growing among all ranks of men.

The regent prevails on the parliament to grant it. Nov. 29. Notwithstanding the cold reception which their proposal concerning the *crown matrimonial* met with from the Scottish deputies, the French ventured to move it in parliament. The partisans of the house of Hamilton, suspicious of their designs upon the succession, opposed it with great zeal. But a party, which the feeble and unsteady conduct of their leader had brought under much disreputation, was little able to withstand the influence of France, and the address of the queen-regent, seconded, on this occasion, by all the numerous adherents of the Reformation. Besides, that artful princess dressed out the French demands in a less offensive garb, and threw so many limitations as seemed to render them of small consequence. These either deceived the Scots, or removed their scruples; and in compliance to the queen, they passed an act, conferring the *crown matrimonial* on the dauphin; and with the fondest credulity, trusted to the frail security of words and statutes against the dangerous encroachments of power.<sup>t</sup>

Continues to court the Protestants. The concurrence of the Protestants with the queen-regent, in promoting a measure so acceptable to France, while the Popish clergy, under the influence of the archbishop of St. Andrew's, opposed it with so much violence,<sup>u</sup> is one of those singular circumstances in the conduct of parties, for which this period is so remarkable. It may be ascribed, in some degree, to the dexterous management of the queen, but chiefly to the moderation of those who favoured the Reformation. The

<sup>t</sup> The act of parliament is worded with the utmost care, with a view to guard against any breach of the order of succession. But the duke, not relying on this alone, entered a solemn protestation to secure his own right. Keith, 76. It is plain that he suspected the French of having some intention to set aside his right of succession; and, indeed, if they had no design of that kind, the eagerness with which they urged their demand was childish.

<sup>u</sup> Melvil, 47.

Protestants were by this time almost equal to the Catholics, both in power and in number: and, conscious of their own strength, they submitted with impatience to that tyrannical authority with which the ancient laws armed the ecclesiastics against them. They longed to be exempted from this oppressive jurisdiction, and publicly to enjoy the liberty of professing those opinions, and of exercising that worship, which so great a part of the nation deemed to be founded in truth, and to be acceptable to the Deity. This indulgence, to which the whole weight of priestly authority was opposed, there were only two ways of obtaining. Either violence must extort it from the reluctant hand of their sovereign, or by prudent compliances they might expect it from her favour or her gratitude. The former is an expedient for the redress of grievances, to which no nation has recourse suddenly; and subjects seldom venture upon resistance, which is their last remedy, but in cases of extreme necessity. On this occasion the reformers wisely held the opposite course, and by their zeal in forwarding the queen's designs, they hoped to merit her protection. This disposition the queen encouraged to the utmost, and amused them so artfully with many promises, and some concessions, that, by their assistance, she surmounted in parliament the force of a national and laudable jealousy, which would otherwise have swayed with the greater number.

Another circumstance contributed somewhat to acquire the regent such considerable influence in this parliament. In Scotland, all the bishoprics, and those abbeys which conferred a title to a seat in parliament, were in the gift of the crown.\* From the time of her accession to the regency, the queen had kept in her own hands almost all those which became vacant, except such as were, to the great disgust of the nation, bestowed upon foreigners. Among these, her brother the cardinal of Lorrain had obtained the abbeys of Kelso and Melross, two of the most wealthy foundations in the kingdom.† By this conduct,

\* See Book I.

† Lesly, 202.

she thinned the ecclesiastical bench,<sup>2</sup> which was entirely under the influence of the archbishop of St. Andrew's, and which by its numbers and authority, usually had great weight in the house, so as to render any opposition it could give at that time of little consequence.

The earl of Argyll, and James Stewart prior of St. Andrew's, one of the most powerful, and the other the most popular, leader of the Protestants, were appointed to carry the crown and other ensigns of royalty to the dauphin. But from this they were diverted by the part they were called to act in a more interesting scene which now begins to open.

Before we turn towards this, it is necessary to observe, that on the 17th of November, 1558, Elizabeth succeeds to the crown of England. Mary of England finished her short and inglorious reign. Her sister Elizabeth took possession of the throne without opposition; and the Protestant religion was, once more, established by law in England. The accession of a queen, who, under very difficult circumstances, had given strong indications of those eminent qualities, which, in the sequel, rendered her reign so illustrious, attracted the eyes of all Europe. Among the Scots, both parties observed her first motions with the utmost solicitude, as they easily foresaw that she would not remain long an indifferent spectator of their transactions.

Under many discouragements and much oppression, the Reformation advanced towards a full establishment in Scotland. All the low country, the most populous, and at that time the most warlike, part of the kingdom, was deeply tinged with the Protestant opinions; and if the same impressions were not made in the more distant counties, it was owing to no want of the same dispositions among the people, but to the scarcity of preachers, whose most indefatigable zeal could not satisfy the avidity of those who desired their instructions. Among a people bred to arms, and as prompt as the Scots to act with violence; and in an age when religious passions had taken such strong possession of the human mind, and moved and agitated it with

<sup>2</sup> It appears from the rolls of this parliament, which Lesly calls a very full one, that only seven bishops and sixteen abbots were present.

so much violence, the peaceable and regular demeanour of so numerous a party is astonishing. From the death of Mr. Patrick Hamilton, the first who suffered in Scotland for the Protestant religion, thirty years had elapsed, and, during so long a period, no violation of public order or tranquillity had proceeded from that sect;<sup>a</sup> and though roused and irritated by the most cruel excesses of ecclesiastical tyranny, they did, in no instance, transgress those bounds of duty which the law prescribes to subjects. Besides the prudence of their own leaders, and the protection which the queen-regent, from political motives, afforded them, the moderation of the archbishop of St. Andrew's encouraged this pacific disposition. That prelate, whose private life contemporary writers tax with great irregularities,<sup>b</sup> governed the church, for some years, with a temper and prudence of which there are few examples in that age. But some time before the meeting of the last parliament, the archbishop departed from those humane maxims by which he had hitherto regulated his conduct; and, whether in spite to the queen, who had entered into so close a union with the Protestants, or in compliance with the importunities of the clergy, he let loose all the rage of persecution against the reformed; sentenced to the flames an aged priest, who had been convicted of embracing the Protestant opinions; and summoned several others, suspected of the same crime, to appear before a synod of the clergy, which was soon to convene at Edinburgh.

Nothing could equal the horror of the Protestants at this unexpected and barbarous execution, but the zeal with which they espoused the defence of a cause that now seemed devoted to destruction. They had immediate recourse to the queen-regent; and as her success in the parliament, which was then about to meet, depended upon their concurrence, she not only sheltered them from the impending storm, but permitted them the exercise of their religion with more freedom than they had hitherto enjoyed.

<sup>a</sup> The murder of cardinal Beaton was occasioned by private revenge; and being contrived and executed by sixteen persons only, cannot with justice be imputed to the whole Protestant party.

<sup>b</sup> Knox, Buchanan, Keith, 208.



Unsatisfied with this precarious tenure by which they held their religious liberty, the Protestants laboured to render their possession of it more secure and independent. With this view they determined to petition the parliament for some legal protection against the exorbitant and oppressive jurisdiction of the ecclesiastical courts, which, by their arbitrary method of proceeding, founded in the canon law, were led to sentences the most shocking to humanity, by maxims the most repugnant to justice. But the queen, who dreaded the effect of a debate on this delicate subject, which could not fail of exciting high and dangerous passions, prevailed on the leaders of the party, by new and more solemn promises of her protection, to desist from any application to parliament, where their numbers and influence would, in all probability, have procured them, if not entire redress, at least some mitigation, of their grievances.

They applied to another assembly, to a convocation of the Popish clergy, but with the same ill success which hath always attended every proposal for reformation, 'addressed to that order of men. To abandon usurped power, to renounce lucrative error, are sacrifices, which the virtue of individuals has, on some occasions offered to truth; but from any society of men no such effort can be expected. The corruptions of a society, recommended by common utility, and justified by universal practice, are viewed by its members without shame or horror; and reformation never proceeds from themselves, but is always forced upon them by some foreign hand. Suitable to this unfeeling and inflexible spirit was the behaviour and convocation in the present conjuncture. All the demands of the Protestants were rejected with contempt; and the Popish clergy, far from endeavouring, by any prudent concessions, to sooth and to reconcile such a numerous body, asserted the doctrines of their church, concerning some of the most exceptionable articles, with an ill-timed rigour, which gave new offence.<sup>c</sup>

<sup>c</sup> Keith, 81.

1559. During the sitting of the convocation, the Protestants first began to suspect some change in the regent's disposition towards them. Though joined with them for many years by interest, and united, as they conceived, by the strongest ties of affection and of gratitude, she discovered, on this occasion, evident symptoms, not only of coldness, but of a growing disgust and aversion. In order to account for this, our historians do little more than produce the trite observations concerning the influence of prosperity to alter the character and to corrupt the heart. The queen, say they, having reached the utmost point to which her ambition aspired, no longer preserved her accustomed moderation, but, with an insolence usual to the fortunate, looked down upon those by whose assistance she had been enabled to rise so high. But it is neither in the depravity of the human heart, nor in the ingratitude of the queen's disposition, that we must search for the motives of her present conduct. These were derived from another, and a more remote source, which, in order to clear the subsequent transactions, we shall endeavour to open with some care.

Ambitious views of the princes of Lorraine. The ambition of the princes of Lorraine had been no less successful than daring; but all their schemes were distinguished by being vast and unbounded. Though strangers at the court of France, their eminent qualities had raised them, in a short time, to a height of power superior to that of all other subjects, and had placed them on a level even with the princes of the blood themselves. The church, the army, the revenue, were under their direction. Nothing but the royal dignity remained unattained, and they were elevated to a near alliance with it, by the marriage of the queen of Scots to the dauphin. In order to gratify their own vanity, and to render their niece more worthy the heir of France, they set on foot her claim to the crown of England, which was founded on pretences not unplausible.

The tragical amours and marriages of Henry VIII. are known to all the world. Moved by the caprices of his

love, or of his resentment, that impatient and arbitrary monarch had divorced or beheaded four of the six queens whom he married. In order to gratify him, both his daughters had been declared illegitimate by act of parliament; and yet, with that fantastic inconsistency which distinguishes his character, he, in his last will, whereby he was empowered to settle the order of succession, called both of them to the throne upon the death of their brother Edward; and, at the same time, passing by the posterity of his eldest sister, Margaret queen of Scotland, he appointed the line of succession to continue in the descendants of his younger sister, the duchess of Suffolk.

In consequence of this destination, the validity whereof was admitted by the English, but never recognised by foreigners, Mary had reigned in England without the least complaint of neighbouring princes. But the same causes which facilitated her accession to the throne, were obstacles to the elevation of her sister Elizabeth, and rendered her possession of it precarious and insecure. Rome trembled for the Catholic faith, under a Protestant queen of such eminent abilities. The same superstitious fears alarmed the court of Spain. France beheld with concern a throne, to which the queen of Scots could form so many pretensions, occupied by a rival, whose birth, in the opinion of all good Catholics, excluded her from any legal right of succession. The impotent hatred of the Roman pontiff, or the slow councils of Philip II. would have produced no sudden or formidable effect. The ardent and impetuous ambition of the princes of Lorraine, who at that time governed the court of France, was more decisive, and more to be dreaded. Instigated by them, Henry, soon after the death of Mary, persuaded his daughter-in-law, and her husband, to assume the title of king and queen of England. They affected to publish this to all Europe. They used that style and appellation in public papers, some of which still remain.<sup>d</sup> The arms of England were engraved on their coin and plate,

They  
persuade  
Mary to  
assume  
the title of  
queen of  
England.

<sup>d</sup> Anders. Diplom. Scot. Nos 68 and 164.

and borne by them on all occasions. No preparations, however, were made to support this impolitic and premature claim. Elizabeth was already seated on her throne; she possessed all the intrepidity of spirit, and all the arts of policy, which were necessary for maintaining that station. England was growing into reputation for naval power. The marine of France had been utterly neglected; and Scotland remained the only avenue by which the territories of

Resolve to invade England. Elizabeth could be approached. It was on that side, therefore, that the princes of Lorraine determined to make their attack;<sup>e</sup> and, by using the name and pretensions of the Scottish queen, they hoped to rouse the English Catholics, formidable at that time by their zeal and numbers, and exasperated to the utmost against Elizabeth, on account of the change which she had made in the national religion.

In order to this, necessary to check the Reformation in Scotland. It was in vain to expect the assistance of the Scottish Protestants to dethrone a queen, whom all Europe began to consider the most powerful guardian and defender of the reformed faith. To break the power and reputation of that party in Scotland became, for this reason, a necessary step towards the invasion of England. With this the princes of Lorraine resolved to open their scheme. And as persecution was the only method for suppressing religious opinions known in that age, or dictated by the despotic and sanguinary spirit of the Romish superstition, this, in its utmost violence, they determined to employ. The earl of Argyll, the prior of St. Andrew's, and other leaders of the party, were marked out by them for immediate destruction;<sup>f</sup> and they hoped, by punishing them, to intimidate their followers. Instructions for this purpose were sent from France to the queen-regent. That humane and sagacious princess condemned a measure which was equally violent and impolitic. By long residence in Scotland, she had become acquainted with the eager and impatient temper of the nation; she well knew the power, the number, and popularity of the

<sup>e</sup> Forbes's Collect. i. 253. 269. 279. 404.

<sup>f</sup> Ibid. i. 152.

Protestant leaders ; and had been a witness to the intrepid and unconquerable resolution which religious fervour could inspire. What then could be gained by rousing this dangerous spirit, which hitherto all the arts of policy had scarcely been able to restrain ? If it once broke loose, the authority of a regent would be little capable to subdue, or even to moderate, its rage. If, in order to quell it, foreign forces were called in, this would give the alarm to the whole nation, irritated already at the excessive power which the French possessed in the kingdom, and suspicious of all their designs. Amidst the shock which this might occasion, far from hoping to exterminate the Protestant doctrine, it would be well if the whole fabric of the established church were not shaken, and perhaps overturned from the foundation. These prudent remonstrances made no impression on her brothers ; precipitant, but inflexible, in all their resolutions, they insisted on the full and rigorous execution of their plan. Mary, passionately devoted to the interest of France, and ready, on all occasions, to sacrifice her own opinions to the inclinations of her brothers, prepared to execute their commands with implicit submission ;<sup>s</sup> and, contrary to her own judgment, and to all the rules of sound policy, she became the instrument of exciting civil commotions in Scotland, the fatal termination of which she foresaw and dreaded.

The regent  
alters her  
conduct  
with regard  
to the Pro-  
testants.

From the time of the queen's competition for the regency with the duke of Chatelherault, the Popish clergy, under the direction of the archbishop of St. Andrew's, had set themselves in opposition to all her measures. Her first step towards the execution of her new scheme, was to regain their favour. Nor was this reconciliation a matter of difficulty. The Popish ecclesiastics, separated from the rest of mankind by the law of celibacy, one of the boldest and most successful efforts of human policy ; and combined among themselves in the closest and most sacred union, have been accustomed, in every age, to sacrifice all private and particular passions

<sup>s</sup> Melv. 48. Mem. de Castlenau, ap. Jebb. vol ii. 446.

to the dignity and interest of their order. Delighted on this occasion with the prospect of triumphing over a faction, the encroachments of which they had long dreaded, and animated with the hopes of re-establishing their declining grandeur on a firmer basis, they, at once, cancelled the memory of past injuries, and engaged to second the queen in all her attempts to check the progress of the Reformation. The queen, being secure of their assistance, openly approved of the decrees of the convocation, by which the principles of the reformers were condemned; and, at the same time, she issued a proclamation, enjoining all persons to observe the approaching festival of Easter according to the Roman ritual.

As it was no longer possible to mistake the queen's intentions, the Protestants, who saw the danger approach, in order to avert it, employed the earl of Glencairn, and Sir Hugh Campbell of Loudon, to expostulate with her concerning this change towards severity, which their former services had so little merited, and which her reiterated promises gave them no reason to expect. She, without disguise or apology, avowed to them her resolution of extirpating the reformed religion out of the kingdom. And, upon their urging her former engagements with an uncourtly, but honest boldness, she so far forgot her usual moderation, as to utter a sentiment, which, however apt those of royal condition may be to entertain it, prudence should teach them to conceal as much as possible. "The promises of princes," says she, "ought not to be too carefully remembered, nor the performance of them exacted, unless it suits their own conveniency."

Summons  
their  
preachers  
to appear  
before her.

The indignation which betrayed the queen into this rash expression, was nothing in comparison of that with which she was animated, upon hearing that the public exercise of the reformed religion had been introduced into the town of Perth. At once she threw off the mask, and issued a mandate, summoning all the Protestant preachers in the kingdom to a court of justice, which was to be held at Stirling on the 10th of May. The

Protestants, who, from their union, began about this time to be distinguished by the name of the CONGREGATION, were alarmed, but not intimidated, by this danger; and instantly resolved not to abandon the men to whom they were indebted for the most valuable of all blessings, the knowledge of truth. At that time there prevailed in Scotland, with respect to criminal trials, a custom, introduced at first by the institutions of vassalage and clanship, and tolerated afterward under a feeble government; persons accused of any crime were accompanied to the place of trial by a retinue of their friends and adherents, assembled for that purpose from every quarter of the kingdom. Authorized by this ancient practice, the reformed convened in great numbers, to attend their pastors to Stirling. The queen dreaded their approach with a train so numerous, though unarmed; and, in order to prevent them from advancing, she empowered John Erskine of Dun, a person of eminent authority with the party, to promise, in her name, that she would put a stop to the intended trial, on condition the preachers and their retinue advanced no nearer to Stirling. Erskine, being convinced himself of the queen's sincerity, served her with the utmost zeal; and the Protestants, averse from proceeding to any act of violence, listened with pleasure to so pacific a proposition. The preachers, with a few leaders of the party, remained at Perth; the multitude which had gathered from different parts of the kingdom dispersed, and retired to their own habitations.

Breaks a promise on which they had relied. But notwithstanding this solemn promise, the queen, on the 10th of May, proceeded to call to trial the persons who had been summoned, and, upon their non-appearance, the rigour of justice took place, and they were pronounced outlaws. By this ignoble artifice, so incompatible with regal dignity, and so inconsistent with that integrity which should prevail in all transactions between sovereigns and their subjects, the queen forfeited the esteem and confidence of the whole nation. The Protestants, shocked no less at the indecency with which she violated the public faith, than at the danger which threatened themselves, prepared boldly for their own defence.

Erskine, enraged at having been made the instrument for deceiving his party, instantly abandoned Stirling, and repairing to Perth, added to the zeal of his associates, by his representations of the queen's inflexible resolution to suppress religion.<sup>b</sup>

This occasion an insurrection at Perth. The popular rhetoric of Knox powerfully seconded his representations; he having been carried a prisoner into France, together with the other persons taken in the castle of St. Andrew's, soon made his escape out of that country; and residing sometimes in England, sometimes in Scotland, had at last been driven out of both kingdoms, by the rage of the Popish clergy, and was obliged to retire to Geneva. Thence he was called by the leaders of the Protestants in Scotland; and, in compliance with their solicitations, he set out for his native country, where he arrived a few days before the trial appointed at Stirling. He hurried instantly to Perth, to share with his brethren in the common danger, or to assist them in the common cause. While their minds were in that ferment, which the queen's perfidiousness and their own danger occasioned, he mounted the pulpit, and, by a vehement harangue against idolatry, inflamed the multitude with the utmost rage. The indiscretion of a priest, who immediately after Knox's sermon, was preparing to celebrate mass, and began to decorate the altar for that purpose, precipitated them into immediate action. With tumultuary, but irresistible violence, they fell upon the churches in that city, overturned the altars, defaced the pictures, broke in pieces the images; and proceeding next to the monasteries, they in a few hours, laid those sumptuous fabrics almost level with the ground. This riotous insurrection was not the effect of any concert, or previous deliberation; censured by the reformed preachers, and publicly condemned by persons of most power and credit with the party, it must be regarded merely as an accidental eruption of popular rage.<sup>i</sup>

The regent marches against them. But to the queen-dowager these proceedings appeared in a very different light. Besides their manifest contempt for her authority, the Protes-

<sup>b</sup> Keith, p. 84.

<sup>i</sup> Knox, Hist. 127, 128.



tants had violated every thing in religion which she deemed venerable or holy ; and on both these accounts she determined to inflict the severest vengeance on the whole party. She had already drawn the troops in French pay to Stirling ; with these, and what Scottish forces she could levy of a sudden, she marched directly to Perth, in hopes of surprising the Protestant leaders before they could assemble their followers, whom, out of confidence in her disingenuous promises, they had been rashly induced to dismiss. Intelligence of these preparations and menaces was soon conveyed to Perth. The Protestants would gladly have soothed the queen, by addresses both to herself and to the persons of greatest credit in her court ; but, finding her inexorable, they, with great vigour, took measures for their own defence. Their adherents, animated with zeal for religion, and eager to expose themselves in so good a cause, flocked in such numbers to Perth, that they not only secured the town from danger, but within a few days were in a condition to take the field, and to face the queen, who advanced with an army seven thousand strong.

Neither party, however, was impatient to engage. The queen dreaded the event of a battle with men whom the fervour of religion raised above the sense of fear or danger. The Protestants beheld with regret the earl of Argyll, the prior of St. Andrew's, and some other eminent persons of their party still adhering to the queen ; and, destitute of their aid and counsel, declined hazarding an action, the ill success of which might have proved the ruin of their cause. The prospect of an accommodation was for these reasons highly acceptable to both sides : Argyll and the prior, who were the queen's commissioners for conducting the negotiation, seem to have been sincerely desirous of reconciling the contending factions ; and the earl of Glencairn arriving unexpectedly with a powerful reinforcement to the Congregation, augmented the queen's eagerness for peace. A

A treaty concluded. treaty was accordingly concluded, in which it was stipulated that both armies should be disbanded, and the gates of Perth set open to the queen ; that indem-

nity should be granted to the inhabitants of that city, and to all others concerned in the late insurrection; that no French garrison should be left in Perth, and no French soldier should approach within three miles of that place; and that a parliament should immediately be held, in order to compose whatever difference might still remain.<sup>k</sup>

May 29. The leaders of the Congregation, distrustful of the queen's sincerity, and sensible that concessions, flowing not from inclination, but extorted by the necessity of her affairs, could not long remain in force, entered into a new association, by which they bound themselves, on the first infringement of the present treaty, or on the least appearance of danger to their religion, to reassemble their followers, and to take arms in defence of what they deemed the cause of God and of their country.<sup>l</sup>

Broken by the regent. The queen, by her conduct, demonstrated these precautions to be the result of no groundless or unnecessary fear. No sooner were the Protestant forces dismissed, than she broke every article in the treaty. She introduced French troops into Perth, fined some of the inhabitants, banished others, removed the magistrates out of office, and, on her retiring to Stirling, she left behind her a garrison of six hundred men, with orders to allow the exercise of no other religion than the Roman Catholic. The situation of Perth, a place at that time of some strength, and a town among the most proper of any in the kingdom for the station of a garrison, seems to have allured the queen to this unjustifiable and ill-judged breach of public faith; which she endeavoured to colour, by alleging that the body of men left at Perth, was entirely composed of native Scots, though kept in pay by the king of France.

The queen's scheme began gradually to unfold; it was now apparent that not only the religion, but the liberties of the kingdom were threatened; and that the French troops were to be employed as instruments for subduing the Scots, and wreathing the yoke about their necks. Martial as the

<sup>k</sup> Keith, 89.

<sup>l</sup> Knox, 238.

genius of the Scots then was, the poverty of their country made it impossible to keep their armies long assembled; and even a very small body of regular troops might have proved formidable to the nation, though consisting wholly of soldiers. But what number of French forces were then in Scotland, at what times, and under what pretext they returned, after having left the kingdom in 1550, we cannot with any certainty determine. Contemporary historians often select with little judgment the circumstances which they transmit to posterity; and with respect to matters of the greatest curiosity and importance, leave succeeding ages altogether in the dark. We may conjecture, however, from some passages in Buchanan, that the French, and Scots in French pay, amounted at least to 3000 men, under the command of Monsieur d'Oysel, a creature of the house of Guise; and they were soon augmented to a much more formidable number.

The queen, encouraged by having so great a body of well-disciplined troops at her command, and instigated by the violent counsels of D'Oysel, had ventured, as we have observed, to violate the treaty of Perth, and by that rash action, once more threw the nation into the most dangerous convulsions. The earl of Argyll and the prior of St. Andrew's instantly deserted a court where faith and honour seemed to them to be no longer regarded; and joined the leaders of the Congregation, who had retreated to the eastern part of Fife. The barons from the neighbouring counties repaired to them, the preachers roused the people to arms, and wherever they came, the same violent operations which accident had occasioned at Perth, were now encouraged out of policy. The enraged multitude was let loose, and churches and monasteries, the monuments of ecclesiastical pride and luxury, were sacrificed to their zeal.

In order to check their career, the queen, without losing a moment, put her troops in motion; but the zeal of the Congregation got the start once more of her vigilance and activity. In that warlike age, when all men were accus-

The Pro-  
testants  
again take  
arms.

tomed to arms, and on the least prospect of danger were ready to run to them, the leaders of the Protestants found no difficulty to raise an army. Though they set out from St. Andrew's with a slender train of a hundred horse, crowds flocked to their standards from every corner of the country through which they marched; and before they reached Falkland, a village only ten miles distant, they were able to meet the queen with superior force.<sup>m</sup>

The queen, surprised at the approach of so formidable a body, which was drawn up by its leaders in such a manner as added greatly in appearance to its numbers, had again recourse to negotiation. She found, however, that the preservation of the Protestant religion, their zeal for which had at first roused the leaders of the Congregation to take arms, was not the only object they had now in view. They were animated with the warmest love of civil liberty, which they conceived to be in imminent danger from the attempts of the French forces; and these two passions

They aim  
at re-  
dressing  
civil as  
well as  
religious  
griev-  
ances.

mingling, added reciprocally to each other's strength. Together with more enlarged notions in religion, the Reformation filled the human mind with more liberal and generous sentiments concerning civil government. The genius of Popery is extremely favourable to the power of princes. The implicit submission to all her decrees, which is exacted by the Romish church, prepares and breaks the mind for political servitude; and the doctrines of the reformers, by overturning the established system of superstition, weakened the firmest foundations of civil tyranny. That bold spirit of inquiry, which led men to reject theological errors, accompanied them in other sciences, and discovered every where the same manly zeal for truth. A new study, introduced at the same time, added greater force to the spirit of liberty. Men became more acquainted with the Greek and Roman authors, who described exquisite models of free government, far superior to the inaccurate and oppressive system established by the feudal law: and produced such illus-

trious examples of public virtue, as wonderfully suited both the circumstances and spirit of that age. Many among the most eminent reformers were themselves considerable masters in ancient learning; and all of them eagerly adopted the maxims and spirit of the ancients, with regard to government.<sup>n</sup> The most ardent love of liberty accompanied the Protestant religion throughout all its progress; and wherever it was embraced, it roused an independent spirit, which rendered men attentive to their privileges as subjects, and jealous of the encroachments of their sovereigns. Knox, and the other preachers of the Reformation, infused generous sentiments concerning government into the minds of their hearers; and the Scottish barons, naturally free and bold, were prompted to assert their rights with more freedom and boldness than ever. Instead of obeying the queen-regent, who had enjoined them to lay down their arms, they demanded not only the redress of their religious grievances, but, as a preliminary toward settling the nation, and securing its liberties, required the immediate expulsion of the French troops out of Scotland. It was not in the queen's power to make so important a concession without the concurrence of the French monarch; and as some time was requisite in order to obtain that, she hoped, during this interval, to receive such reinforcements from France, as would ensure the accomplishment of that design which she had twice attempted

June 13. with unequal strength. Meanwhile, she agreed to a cessation of arms for eight days, and before the expiration of these, engaged to transport the French troops to the south side of the Forth, and to send commissioners to St. Andrew's, who should labour to bring all differences to an accommodation. As she hoped, by means of the French troops, to overawe the Protestants in the southern counties, the former article in the treaty was punctually exe-

<sup>n</sup> The excessive admiration of ancient policy was the occasion of Knox's famous book concerning the *Government of Women*, wherein, conformable to the maxims of the ancient legislators, which modern experience has proved to be ill-founded, he pronounces the elevation of women to the supreme authority to be utterly destructive of good government. His principles, authorities, and examples, were all drawn from ancient writers. The same observation may be made with regard to Buchanan's Dialogue, *De Jure Regni apud Scotos*. It is founded, not on the maxims of feudal, but of ancient republican government.

cuted: the latter, having been inserted merely to amuse the Congregation, was no longer remembered.

A second treaty violated. By these reiterated and wanton instances of perfidy, the queen lost all credit with her adversaries; and

no safety appearing in any other course, they again took arms with more inflamed resentment, and with bolder and more extensive views. The removing of the French forces had laid open to them all the country situated between Forth and Tay. The inhabitants of Perth alone remaining subjected to the insolence and exactions of the garrison which the queen had left there, implored the assistance of the Congregation for their relief. Thither they marched, and having without effect required the queen to evacuate the town in terms of the former treaty, they prepared to besiege it in form. The queen employed the earl of Huntly and lord Erskine to divert them from this enterprise. But her wonted artifices were now of no avail; repeated so often, they could deceive no longer; and without listening to her offers, the Protestants continued the siege, and soon obliged the garrison to capitulate.

After the loss of Perth, the queen endeavoured to seize Stirling, a place of some strength, and, from its command of the only bridge over the Forth, of great importance. But the leaders of the Congregation having intelligence of her design, prevented the execution of it, by a hasty march thither with part of their forces. The inhabitants, heartily attached to the cause, set open to them the gates of the town. Thence they advanced, with the same rapidity, towards Edinburgh, which the queen, on their approach, abandoned with precipitation, and retired to Dunbar.

Rapid march and success of the Protestants. The Protestant army, wherever it came, kindled or spread the ardour of reformation, and the utmost excesses of violence were committed upon churches and monasteries. The former were spoiled of every decoration, which was then esteemed sacred; the latter were laid in ruins. We are apt, at this distance of time, to condemn the furious zeal of the reformers, and to regret the overthrow of so

many stately fabrics, the monuments of our ancestors' magnificence, and among the noblest ornaments of the kingdom. But amidst the violence of a reformation, carried on in opposition to legal authority, some irregularities were unavoidable; and perhaps no one could have been permitted more proper to allure and interest the multitude, or more fatal to the grandeur of the established church. How absurd soever and ill-founded the speculative errors of Popery may be, some inquiry and attention are requisite towards discovering them. The abuses and corruptions which had crept into the public worship of that church, lay more open to observation, and by striking the senses, excited more universal disgust. Under the long reign of heathenism, superstition seemed to have exhausted its talent of invention, so that when a superstitious spirit seized Christians, they were obliged to imitate the heathens in the pomp and magnificence of their ceremonies, and to borrow from them the ornaments and decorations of their temples. To the pure and simple worship of the primitive Christians, there succeeded a species of splendid idolatry, nearly resembling those Pagan originals whence it had been copied. The contrariety of such observances to the spirit of Christianity, was almost the first thing, in the Romish system, which awakened the indignation of the reformers, who, applying to these the denunciations in the Old Testament against idolatry, imagined that they could not endeavour at suppressing them with too much zeal. No task could be more acceptable to the multitude, than to overturn those seats of superstition; they ran with emulation to perform it, and happy was the man whose hand was most adventurous and successful in executing a work deemed so pious. Nor did their leaders labour to restrain this impetuous spirit of reformation. Irregular and violent as its sallies were, they tended directly to that end which they had in view; for, by demolishing the monasteries throughout the kingdom, and setting at liberty their wretched inhabitants, they hoped to render it impossible ever to rebuild the one or to reassemble the other.

But amidst these irregular proceedings, a circumstance which does honour to the conduct and humanity of the leaders of the Congregation deserves notice. They so far restrained the rage of their followers, and were able so to temper their heat and zeal, that few of the Roman Catholics were exposed to any personal insult, and not a single man suffered death.<sup>o</sup>

At the same time we discover, by the facility with which these great revolutions were effected, how violently the current of national favour ran towards the Reformation. No more than three hundred men marched out of Perth, under the earl of Argyll and prior of St. Andrew's;<sup>p</sup> with this inconsiderable force they advanced. But wherever they came, the people joined them in a body; their army was seldom less numerous than five thousand men; the gates of every town were thrown open to receive them; and, without  
 June 29. striking a single blow, they took possession of the capital of the kingdom.

This rapid and astonishing success seems to have encouraged the reformers to extend their views, and to rise in their demand. Not satisfied with their first claim of toleration for their religion, they now openly aimed at establishing the Protestant doctrine on the ruins of Popery. For this reason they determined to fix their residence at Edinburgh; and, by their appointment, Knox and some other preachers, taking possession of the pulpits, which had been abandoned by the affrightened clergy, declaimed against the errors of Popery with such fervent zeal as could not fail of gaining many proselytes.

In the mean time, the queen, who had prudently given way to a torrent which she could not resist, observed with pleasure that it now began to subside. The leaders of the Congregation had been above two months in arms, and by the expenses of a campaign, protracted so long beyond the usual time of service in that age, had exhausted all the money which a country, where riches did not abound, had been able to supply. The multitude, dazzled with their success, and concluding the work to be already done, re-

<sup>o</sup> Lesley, ap. Jebb, vol. i. 231.

<sup>p</sup> Keith, 94.



tired to their own habitations. A few only of the more zealous or wealthy barons remained with their preachers at Edinburgh. As intelligence is procured in civil wars with little difficulty, whatever was transacted at Edinburgh was soon known at Dunbar. The queen, regulating her own conduct by the situation of her adversaries, artfully amused them with the prospect of an immediate accommodation; while, at the same time, she by studied delays spun out the negotiations for that purpose to such a length, that, in the end, the party dwindled to an inconsiderable number; and, as if peace had been already re-established, became careless of military discipline. The queen, who watched for such an opportunity, advanced unexpectedly, by a sudden march in the night, with all her forces, and appearing before Edinburgh, filled that city with the utmost consternation. The Protestants, weakened by the imprudent dispersion of their followers, durst not encounter the French troops in the open field; and were even unable to defend an ill-fortified town against their assaults. Unwilling, however, to abandon the citizens to the queen's mercy, they endeavoured, by facing the enemy's army, to gain time for collecting their own associates. But the queen, in spite of all their resistance, would have easily forced her way into the town, if the seasonable conclusion of a truce had not procured her admission without the effusion of blood.

A third treaty. Their dangerous situation easily induced the leaders of the Congregation to listen to any overtures of peace; and as the queen was looking daily for the arrival of a strong reinforcement from France, and expected great advantages from a cessation of arms, she also agreed to it upon no unequal conditions. Together with a suspension of hostilities, from the 24th of July to the 10th of January, it was stipulated in this treaty, that, on the one hand, the Protestants should open the gates of Edinburgh next morning to the queen-regent; remain in dutiful subjection to her government; abstain from all future violation of religious houses; and give no interruption to the established clergy, either in the discharge of their functions, or in the enjoy-

ment of their benefices. On the other hand, the queen agreed to give no molestation to the preachers or professors of the Protestant religion; to allow the citizens of Edinburgh, during the cessation of hostilities, to enjoy the exercise of religious worship according to the form most agreeable to the conscience of each individual; and to permit the free and public profession of the Protestant faith in every part of the kingdom.<sup>d</sup> The queen by these liberal concessions in behalf of their religion, hoped to sooth the Protestants, and expected, from indulging their favourite passions, to render them more compliant with respect to other articles, particularly the expulsion of the French troops out of Scotland. The anxiety which the queen expressed for retaining this body of men, rendered them more and more the objects of national jealousy and aversion. The immediate expulsion of them was therefore demanded anew, and with greater warmth; but the queen, taking advantage of the distress of the adverse party, eluded the request, and would consent to nothing more, than that a French garrison should not be introduced into Edinburgh.

The desperate state of their affairs imposed on the Congregation the necessity of agreeing to this article, which, however, was very far from giving them satisfaction. Whatever apprehensions the Scots had conceived, from retaining the French forces in the kingdom, were abundantly justified during the late commotions. A small body of those troops, maintained in constant pay, and rendered formidable by regular discipline, had checked the progress of a martial people, though animated with zeal both for religion and liberty. The smallest addition to their number, and a considerable one was daily expected, might prove fatal to the public liberty, and Scotland might be exposed to the danger of being reduced from an independent kingdom, to the mean condition of a province, annexed to the dominions of its powerful ally.

In order to provide against this imminent calamity, the duke of Chatelherault, and earl of Huntly, immediately

<sup>d</sup> Keith, 98. Maitland, *Hist. of Edin.* 16, 17.

after concluding the truce, desired an interview with the chiefs of the Congregation. These two noblemen, the most potent at that time in Scotland, were the leaders of the party which adhered to the established church. They had followed the queen, during the late commotions, and having access to observe more narrowly the dangerous tendency of her councils, their abhorrence of the yoke which was preparing for their country surmounted all other considerations, and determined them rather to endanger the religion which they professed, than to give their aid towards the execution of her pernicious designs. They proceeded farther, and promised to Argyll, Glencairn, and the prior of St. Andrew's, who were appointed to meet them, that if the queen should, with her usual insincerity, violate any article in the treaty of truce, or refuse to gratify the wishes of the whole nation, by dismissing her French troops, they would then instantly join with their countrymen in compelling her to a measure, which the public safety, and the preservation of their liberties, rendered necessary.<sup>r</sup>

July 8. About this time died Henry II. of France; just when he had adopted a system with regard to the affairs of Scotland, which would, in all probability, have restored union and tranquillity to that kingdom.<sup>s</sup> Towards the close of his reign, the princes of Lorraine began visibly to decline in favour, and the constable Montmorency, by the assistance of the duchess of Valentinois, recovered that ascendant over the spirit of his master, which his great experience, and his faithful, though often unfortunate, services seemed justly to merit. That prudent minister imputed the insurrections in Scotland wholly to the duke of Guise and the cardinal of Lorraine, whose violent and precipitant counsels could not fail of transporting, beyond all bounds of moderation, men whose minds were possessed with that jealousy which is inseparable from the love of civil liberty, or inflamed with that ardour which accompanies religious zeal. Montmorency, in order to convince Henry that he did not

<sup>r</sup> Knox, 154.

<sup>s</sup> Melvil, 49.

load his rivals with any groundless accusation, prevailed to have Melvil,<sup>t</sup> a Scottish gentleman of his retinue, dispatched into his native country, with instructions to observe the motions both of the regent and of her adversaries; and the king agreed to regulate his future proceedings in that kingdom by Melvil's report.

Did history indulge herself in these speculations, it would be amusing to inquire what a different direction might have been given by this resolution to the national spirit; and to what a different issue Melvil's report, which would have set the conduct of the malecontents in the most favourable light, might have conducted the public disorders. Perhaps, by gentle treatment, and artful policy, the progress of the Reformation might have been checked, and Scotland brought to depend upon France. Perhaps by gaining possession of this avenue, the French might have made their way into England, and, under colour of supporting Mary's title to the crown, they might not only have defeated all Elizabeth's measures in favour of the Reformation, but have re-established the Roman Catholic religion, and destroyed the liberties of that kingdom. But, into this boundless field of fancy and conjecture, the historian must make no excursions; to relate real occurrences, and to explain their real causes and effects, is his peculiar and only province.

Accession  
of Francis  
II. to the  
crown of  
France.

The tragical and untimely death of the French monarch put an end to all moderate and pacific measures with regard to Scotland. The duke of Guise, and the cardinal his brother, upon the accession of Francis II., a prince void of genius, and without experience, assumed the chief direction of French affairs. Allied so nearly to the throne, by the marriage of their niece the queen of Scots with the young king, they now wanted but little of regal dignity, and nothing of regal power. This power did not long remain inactive in their hands. The same vast schemes of ambition, which they had planned out under the former reign, were again resumed; and they were enabled, by possessing such ample authority, to

<sup>t</sup> The author of the Memoirs.

pursue them with more vigour and greater probability of success. They beheld, with infinite regret, the progress of the Protestant religion in Scotland ; and, sensible what an insurmountable obstacle it would prove to their designs, they bent all their strength to check its growth, before it rose to any greater height. For this purpose they carried on their preparations with all possible expedition, and encouraged the queen their sister to expect, in a short time, the arrival of an army so powerful as the zeal of their adversaries, however desperate, would not venture to oppose.

Nor were the lords of the Congregation either ignorant of those violent counsels which prevailed in the court of France since the death of Henry, or careless of providing against the danger which threatened them from that quarter. The success of their cause, as well as their personal safety, depending entirely on the unanimity and vigour of their own resolutions, they endeavoured to guard against division, and to cement together more closely, by entering into a stricter bond of confederacy and mutual defence. Two persons concurred in this new association, who brought a great accession both of reputation and of power to the party. These were the duke of Chatelherault, and his eldest son the earl of Arran. This young nobleman, having resided some years in France, where he commanded the Scottish guards, had imbibed the Protestant opinions concerning religion. Hurried along by the heat of youth and the zeal of a proselyte, he had uttered sentiments with respect to the points in controversy, which did not suit the temper of a bigoted court, intent at that juncture on the extinction of the Protestant religion ; in order to accomplish which, the greatest excesses of violence were committed. The church was suffered to wreak its utmost fury upon all who were suspected of heresy. Courts were erected in different parts of France, to take cognizance of this crime, and by their sentences several persons of distinction were condemned to the flames.

But, in order to inspire more universal terror, the princes of Lorrain resolved to select, for a sacrifice, some persons

whose fall might convince all ranks of men, that neither splendour of birth, nor eminence in station, could exempt from punishment those who should be guilty of this unpardonable transgression. The earl of Arran was the person destined to be the unhappy victim." As he was allied to one throne, and the presumptive heir to another; as he possessed the first rank in his own country, and enjoyed an honourable station in France; his condemnation could not fail of making the desired impression on the whole kingdom. But the cardinal of Lorrain having let fall some expressions, which raised Arran's suspicions of the design, he escaped the intended blow by a timely flight. Indignation, zeal, resentment, all prompted him to seek revenge upon these persecutors of himself and of the religion which he professed; and as he passed through England, on his return to his native country, Elizabeth, by hopes and promises, inflamed those passions, and sent him back into Scotland, animated with the same implacable aversion to France, which possessed a great part of his countrymen.

Earl of  
Arran  
joins the  
Protes-  
tants.

He quickly communicated these sentiments to his father the duke of Chatelherault, who was already extremely disgusted with the measures carrying on in Scotland; and as it was the fate of that nobleman to be governed in every instance by those about him, he now suffered himself to be drawn from the queen-regent; and, having joined the Congregation, was considered, from that time, as the head of the party.

But with respect to him, this distinction was merely nominal. James Stewart, prior of St. Andrew's, was the person who moved and actuated the whole body of the Protestants among whom he possessed that unbounded confidence, which his strenuous adherence to their interest and his great abilities so justly merited. He was the natural son of James V., by a daughter of lord Erskine; and as that amorous monarch had left several others a burden upon the crown, they were all destined for the church, where they could be placed in stations of dignity and influence. In consequence

of this resolution, the priory of St. Andrew's had been conferred upon James: but, during so busy a period, he soon became disgusted with the indolence and retirement of a monastic life; and his enterprising genius called him forth to act a principal part on a more public and conspicuous theatre. The scene in which he appeared required talents of different kinds; military virtue, and political discernment, were equally necessary in order to render him illustrious. These he possessed in an eminent degree. To the most unquestioned personal bravery, he added great skill in the art of war, and in every enterprise his arms were crowned with success. His sagacity and penetration in civil affairs enabled him, amidst the reeling and turbulence of factions, to hold a prosperous course; while his boldness in defence of the Reformation, together with the decency, and even severity, of his manners, secured him the reputation of being sincerely attached to religion, without which it was impossible in that age to gain an ascendant over mankind.

It was not without reason that the queen dreaded the enmity of a man so capable to obstruct her designs. As she could not, with all her address, make the least impression on his fidelity to his associates, she endeavoured to lessen his influence, and to scatter among them the seeds of jealousy and distrust, by insinuating that the ambition of the prior aspired beyond the condition of a subject, and aimed at nothing less than the crown itself.

An accusation so improbable gained but little credit. Whatever thoughts of this kind the presumption of unexpected success, and his elevation to the highest dignity in the kingdom, may be alleged to have inspired at any subsequent period, it is certain that at this juncture he could form no such vast design. To dethrone a queen, who was lineal heir to an ancient race of monarchs; who had been guilty of no action by which she could forfeit the esteem and affection of her subjects; who could employ, in defence of her rights, the forces of a kingdom much more powerful than her own; and to substitute in her place, a person whom the illegitimacy of his birth, by the practice of all

civilized nations, rendered incapable of any inheritance either public or private; was a project so chimerical as the most extravagant ambition would hardly entertain, and could never conceive to be practicable. The promise, too, which the prior made to Melvil, of residing constantly in France, on condition the public grievances were redressed;\* the confidence reposed in him by the duke of Chatelherault and his son, the presumptive heirs to the crown; and the concurrence of almost all the Scottish nobles, in promoting the measures by which he gave offence to the French court; go far towards his vindication from those illegal and criminal designs, with the imputation of which the queen endeavoured at that time to load him.

Troops arrive from France, and fortify Leith. The arrival of a thousand French soldiers compensated, in some degree, for the loss which the queen sustained by the defection of the duke of

Chatelherault. These were immediately commanded to fortify Leith, in which place, on account of its commodious harbour, and its situation in the neighbourhood of Edinburgh, and in a plentiful country, the queen resolved to fix the head-quarters of her foreign forces. This unpopular measure, by the manner of executing it, was rendered still more unpopular. In order to bring the town entirely under their command, the French turned out a great part of the ancient inhabitants, and, taking possession of the houses, which they had obliged them to abandon, presented to the view of the Scots two objects equally irritating and offensive; on the one hand, a number of their countrymen expelled their habitations by violence, and wandering without any certain abode; on the other, a colony of foreigners settling with their wives and children in the heart of Scotland, growing into strength by daily reinforcements, and openly preparing a yoke, to which, without some timely exertion of national spirit, the whole kingdom must of necessity submit.

The Protestants remonstrate against this. It was with deep concern that the lords of the Congregation beheld this bold and decisive step taken by the queen-regent; nor did they hesitate



a moment, whether they should employ their whole strength, in one generous effort, to rescue their religion and liberty from impending destruction. But, in order to justify their own conduct, and to throw the blame entirely on their adversaries, they resolved to preserve the appearances of decency and respect towards their superiors, and to have

Sept. 29. no recourse to arms without the most urgent and apparent necessity. They joined, with this view, in an address to the regent, representing, in the strongest terms, their dissatisfaction with the measures she was pursuing, and beseeching her to quiet the fears and jealousies of the nation by desisting from fortifying Leith. The queen, conscious of her present advantageous situation, and elated with the hopes of fresh succours, was in no disposition for listening to demands utterly inconsistent with her views, and urged with that bold importunity which is so little acceptable to princes.<sup>y</sup>

The regent disregards their remonstrances. The suggestions of her French counsellors contributed, without doubt, to alienate her still farther from any scheme of accommodation. As the queen was ready on all occasions to discover an extraordinary deference for the opinions of her countrymen, her brothers, who knew her secret disapprobation of the violent measures they were driving on, took care to place near her such persons as betrayed her, by their insinuations, into many actions, which her own unbiassed judgment would have highly condemned. As their success in the present juncture, when all things were hastening towards a crisis, depended entirely on the queen's firmness, the princes of Lorraine did not trust wholly to the influence of their ordinary agents; but, in order to add the greater weight to their councils, they called in aid the ministers of religion; and, by the authority of their sacred character, they hoped effectually to recommend to their sister that system of severity which they had espoused.<sup>z</sup> With this view, but under pretence of confounding the Protestants by the skill of such able masters in controversy, they appointed several

<sup>y</sup> Haynes, 211.<sup>z</sup> Lesley, 215. Castlenau, ap. Jebb, vol. ii. 446. 473.

French divines to reside in Scotland. At the head of these, and with the character of legate from the pope, was Pellevé bishop of Amiens, and afterward archbishop and cardinal of Sens, a furious bigot,<sup>a</sup> servilely devoted to the house of Guise, and a proper instrument for recommending or executing the most outrageous measures.

Amidst the noise and danger of civil arms, these doctors had little opportunity to display their address in the use of their theological weapons. But they gave no small offence to the nation by one of their actions. They persuaded the queen to seize the church of St. Giles in Edinburgh, which had remained, ever since the late truce, in the hands of the Protestants; and having, by a new and solemn consecration, purified the fabric from the pollution with which they supposed the profane ministrations of the Protestants to have defiled it, they, in direct contradiction to one article in the late treaty, re-established there the rights of the Romish church. This, added to the indifference, and even contempt, with which the queen received their remonstrances, convinced the lords of the Congregation, that it was not only vain to expect any redress of their grievances at her hands, but absolutely necessary to take arms in their own defence.

They take arms in their own defence. The eager and impetuous spirit of the nation, as well as every consideration of good policy, prompted them to take this bold step without delay. It was but a small part of the French auxiliaries which had as yet arrived. The fortifications of Leith, though advancing fast, were still far from being complete. Under these circumstances of disadvantage, they conceived it possible to surprise the queen's party, and, by one sudden and decisive blow, to prevent all future bloodshed and contention. Full of these expectations, they advanced rapidly towards Edinburgh with a numerous army.

But it was no easy matter to deceive an adversary as vigilant and attentive as the queen-regent. With her usual sagacity, she both foresaw the danger, and took the only

<sup>a</sup> Davila, Brantome.

proper course to avoid it. Instead of keeping the field against enemies superior in number, and formidable on a day of battle by the ardour of their courage, she retired into Leith, and determined patiently to wait the arrival of new reinforcements. Slight and unfinished as the fortifications of that town then were, she did not dread the efforts of an army, provided neither with heavy cannon nor with military stores, and little acquainted with the method of attacking any place fortified with more art than those ancient towers erected all over the kingdom in defence of private property against the incursions of banditti.

Nor did the queen meanwhile neglect to have recourse to those arts which she had often employed to weaken or divide her adversaries. By private solicitations and promises she shook the fidelity, or abated the ardour of some. By open reproach and accusation she blasted the reputation, and diminished the authority of others. Her emissaries were every where at work, and, notwithstanding the zeal for religion and liberty which then animated the nation, they seem to have laboured not without success. We find Knox, about this period, abounding in complaints of the lukewarm and languid spirit which had begun to spread among his party.<sup>b</sup> But if their zeal slackened a little, and suffered a momentary intermission, it soon blazed up with fresh vigour, and rose to a greater height than ever.

Renew  
their  
remon-  
strances; The queen herself gave occasion to this, by the reply which she made to a new remonstrance from the lords of the Congregation. Upon their arrival at Edinburgh, they once more represented to her the dangers arising from the increase of the French troops, the fortifying of Leith, and her other measures, which they conceived to be destructive to the peace and liberty of the kingdom; and in this address they spoke in a firmer tone, and avowed, more openly than ever, their resolution of proceeding to the utmost extremities, in order to put a stop to such dangerous encroachments. To a remonstrance of

<sup>b</sup> Knox, 180.

this nature, and urged with so much boldness, the queen replied in terms no less vigorous and explicit. She pretended that she was not accountable to the confederate lords for any part of her conduct; and upon no representation of theirs would she either abandon measures which she deemed necessary, or dismiss forces which she found useful, or demolish a fortification which might prove of advantage. At the same time she required them, on pain of treason, to disband the forces which they had assembled.

This haughty and imperious style sounded harshly to Scottish nobles, impatient, from their national character, of the slightest appearance of injury; accustomed, even from their own monarchs, to the most respectful treatment; and possessing, under an aristocratical form of government, such a share of power, as equalled at all times, and often controlled, that of the sovereign. They were sensible, at once, of the indignity offered to themselves, and alarmed with this plain declaration of the queen's intentions; and as there now remained but one step to take, they wanted neither public spirit nor resolution to take it.

But, that they might not seem to depart from the established forms of the constitution, for which, even amidst their most violent operations, men always retain the greatest reverence, they assembled all the peers, barons, and representatives of boroughs, who adhered to their party. These formed a convention, which exceeded in number, and equalled in dignity, the usual meetings of parliament. The leaders of the Congregation laid before them the declaration which the queen had given in answer to their remonstrance; represented the unavoidable ruin which the measures she therein avowed and justified would bring upon the kingdom; and requiring their direction with regard to the obedience due to an administration so unjust and oppressive, they submitted to their decision a question, one of the most delicate and interesting that can possibly fall under the consideration of subjects.

This assembly proceeded to decide with no less dispatch

than unanimity. Strangers to those forms which protect business; unacquainted with the arts which make a figure in debate; and much more fitted for an action than discourse; a warlike people always hasten to a conclusion, and bring their deliberations to the shortest issue. It was the work but of one day, to examine and to resolve this nice problem, concerning the behaviour of subjects towards a ruler who abuses his power. But, however abrupt their proceedings may appear, they were not destitute of solemnity. As the determination of the point in doubt was conceived to be no less the office of divines than of laymen, the former were called to assist with their opinion. Knox and Willox appeared for the whole order, and pronounced, without hesitation, both from the precepts and examples in Scripture, that it was lawful for subjects not only to resist tyrannical princes, but to deprive them of that authority, which, in their hands, becomes an instrument for destroying those whom the Almighty ordained them to protect. The decision of persons revered so highly for their sacred character, but more for their zeal and their piety, had great weight with the whole assembly. Not satisfied with the common indiscriminate manner of signifying consent, every

They deprive the queen of the office of regent. person present was called in his turn to declare his sentiments, and rising up in order, all gave their suffrages, without one dissenting voice, for depriving the queen of the office of regent, which she exercised so much to the detriment of the kingdom.<sup>c</sup>

The motives of their conduct. This extraordinary sentence was owing no less to the love of liberty, than to zeal for religion. In the act of deprivation, religious grievances are slightly mentioned; and the dangerous encroachments of the queen upon the civil constitution are produced, by the lords of the Congregation, in order to prove their conduct to have been not only just but necessary. The introducing foreign troops into a kingdom at peace with all the world; the seizing and fortifying towns in different parts of the country; the promoting strangers to offices of great power and dignity; the

debasing the current coin;<sup>d</sup> the subverting the ancient laws; the imposing of new and burdensome taxes; and the attempting to subdue the kingdom, and to oppress its liberties, by open and repeated acts of violence, are enumerated at great length, and placed in the strongest light. On all these accounts, the Congregation maintained, that the nobles, as counsellors by birthright to their monarchs, and the guardians and defenders of the constitution, had a right to interpose; and therefore, by virtue of this right, in the name of the king and queen, and with many expressions of duty and submission towards them, they deprived the queen-regent of her office, and ordained that, for the future, no obedience should be given to her commands.\*

Violent as this action may appear, there wanted not principles in the constitution, nor precedents in the history of Scotland, to justify and to authorize it. Under the aristocratical form of government established among the Scots, the power of the sovereign was extremely limited. The more considerable nobles were themselves petty princes, possessing extensive jurisdictions, almost independent of the crown, and followed by numerous vassals, who, in every contest, espoused their chieftain's quarrel, in opposition to the king. Hence the many instances of the impotence of regal authority, which are to be found in the Scottish history. In every age, the nobles not only claimed, but exercised, the right of controlling the king. Jealous of their privileges, and ever ready to take the field in defence of them, every error in administration was observed, every encroachment upon the rights of the aristocracy excited indignation, and no prince ever ventured to transgress the boundaries which the law had prescribed to prerogative,

<sup>d</sup> The standard of money in Scotland was continually varying. In the 16th of James V., A. D. 1529, a pound weight of gold, when coined, produced 108*l.* of current money. But under the queen-regent's administration, A. D. 1556, a pound weight of gold, although the quantity of alloy was considerably increased, produced 144*l.* current money. In 1529, a pound weight of silver, when coined, produced 9*l.* 2*s.*; but in 1556, it produced 13*l.* current money. Ruddiman. Præf. ad Anders. Diplom. Scotiæ, p. 80, 81, from which it appears, that this complaint, which the malecontents often repeated, was not altogether destitute of foundation.

\* M. Castellan, after condemning the dangerous councils of the princes of Lorraine, with regard to the affairs of Scotland, acknowledges, with his usual candour, that the Scots declared war against the queen-regent, rather from a desire of vindicating their civil liberties, than from any motive of religion. Mem. 446.

without meeting resistance, which shook or overturned his throne. Encouraged by the spirit of the constitution, and countenanced by the example of their ancestors, the lords of the Congregation thought it incumbent on them, at this juncture, to inquire into the maleadministration of the queen-regent, and to preserve their country from being enslaved or conquered, by depriving her of the power to execute such a pernicious scheme.

The act of deprivation, and a letter from the lords of the Congregation to the queen-regent, are still extant.<sup>f</sup> They discover not only that masculine and undaunted spirit, natural to men capable of so bold a resolution; but are remarkable for a precision and vigour of expression, which we are surprised to meet with in an age so unpolished. The same observation may be made with respect to the other public papers of that period. The ignorance or bad taste of an age may render the compositions of authors by profession obscure, or affected, or absurd; but the language of business is nearly the same at all times; and wherever men think clearly, and are thoroughly interested, they express themselves with perspicuity and force.

## BOOK III.

1559. The Congregation involved in difficulties. THE lords of the Congregation soon found that their zeal had engaged them in an undertaking, which it was beyond their utmost ability to accomplish. The French garrison, despising their numerous but irregular forces, refused to surrender Leith, and to depart out of the kingdom; nor were these sufficiently skilful in the art of war to reduce the place by force, or possessed of the artillery, or magazines, requisite for that purpose; and their followers, though of undaunted courage, yet, being accustomed to decide every quarrel by a battle, were strangers to the fatigues of a long campaign, and soon became impatient of the severe and constant duty which a

<sup>f</sup> Knox, 184.

siege requires. The queen's emissaries, who found it easy to mingle with their countrymen, were at the utmost pains to heighten their disgust, which discovered itself at first in murmurs and complaints, but, on occasion of the want of money for paying the army, broke out into open mutiny. The most eminent leaders were hardly secure from the unbridled insolence of the soldiers; while some of inferior rank, interposing too rashly in order to quell them, fell victims to their rage. Discord, consternation, and perplexity, reigned in the camp of the reformers. The duke, their general, sunk, with his usual timidity, under the terror of approaching danger, and discovered manifest symptoms of repentance for his rashness in espousing such a desperate cause.

Apply to Elizabeth for assistance. In this situation of their affairs, the Congregation had recourse to Elizabeth, from whose protection they could derive their only reasonable hope of success. Some of their more sagacious leaders, having foreseen that the party might probably be involved in great difficulties, had early endeavoured to secure a resource in any such exigency, by entering into a secret correspondence with the court of England.<sup>a</sup> Elizabeth, aware of the dangerous designs which the princes of Lorraine had formed against her crown, was early sensible of how much importance it would be, not only to check the progress of the French in Scotland, but to extend her own influence in that kingdom;<sup>b</sup> and perceiving how effectually the present

<sup>a</sup> Burn. Hist. Ref. 3. App. 278. Keith, App. 21.

<sup>b</sup> *A memorial of certain points meet for the restoring the realm of Scotland to the ancient weale.*

5th August 1559, Cotton. Lib. Cal. B. 10. fol. 17. Imprimis, it is to be noted, that the best worldly felicity that Scotland can have, is either to continue in a perpetual peace with the kingdom of England, or to be made one monarchy with England, as they both make but one island, divided from the rest of the world.

From a copy in Secretary Cecil's hand. If the first is thought, that is, to be in perpetual peace with England, then must it necessarily be provided, that Scotland be not so subject to the appointments of France as is presently, which, being an ancient enemy to England, seeketh always to make Scotland an instrument, to exercise, thereby, their malice upon England, and to make a footstool thereof to look over England as they may.

Therefore, when Scotland shall come into the hands of a mere Scottish man in blood, then may there be hope of such accord; but as long as it is at the commandment of the French, there is no hope to have accord long betwixt these two realms.

Therefore, seeing it is at the French King's commandment by reason of his wife, it is to be considered for the weale of Scotland, that until she have children, and during her absence out of the realm, the next heirs to the crown, being the house of the Hamilton's, should have regard hereto, and to see that neither the crown be imposed nor wasted; and, on the other side, the nobility and commonalty ought to force that the



insurrections would contribute to retard or defeat the schemes formed against England, she listened with pleasure to these applications of the malcontents, and gave them private assurances of powerful support to their cause. Randolph,<sup>c</sup> an agent extremely proper for conducting any dark intrigue, was dispatched into Scotland, and residing secretly among the lords of the Congregation, observed and quickened their motions. Money seemed to be the only thing they wanted at that time; and it was owing to a seasonable remittance from England,<sup>d</sup> that the Scottish nobles had been enabled to take the field, and to advance towards Leith. But as Elizabeth was distrustful of the Scots, and

laws and the old customs of the realm be not altered, neither that the country be not impoverished by taxes, emprest, or new imposts, after the manner of France; for provision wherein, both by the law of God and man, the French King and his wife may be moved to reform their misgovernance of the land.

And for this purpose it were good that the nobility and commons joined with the next heir of the crown, to seek due reformation of such great abuses as tend to the ruin of their country, which must be done before the French grow too strong and insolent.

First, That it may be provided by the consent of the three estates of the land, that the land may be free from all idolatry like as England is; for justification whereof; if any free general council may be had where the Pope of Rome have not the seat of judgment, they may offer to shew their cause to be most agreeable to Christ's religion.

Next, To provide that Scotland might be governed, in all rules and offices, by the ancient blood of the realm, without either captains, lieutenants, or soldiers, as all other Princes govern their countries, and especially that the forts might be in the hands of mere Scottish men.

Thirdly, That they might never be occasioned to enter into wars against England, except England should give the first cause to Scotland.

Fourthly, That no nobleman of Scotland should receive pension of France, except it were whilst he did serve in France, for otherwise thereby the French would shortly corrupt many to betray their own country.

Fifthly, That no office, abbey, living, or commodity, be given to any but mere Scottish men, by the assent of the three estates of the realm.

Sixthly, That there be a council in Scotland appointed in the Queen's absence, to govern the whole realm, and in those cases not to be directed by the French.

Seventhly, That it be by the said three estates appointed how the Queen's revenue of the realm shall be expended, how much the Queen shall have for her portion and estate during her absence, how much shall be limited to the governance and defence of the realm, how much yearly appointed to be kept in treasure.

In these, and such like points, if the French King and the Queen be found unwilling, and will withstand these provisions for the weale of the land, then hath the three estates of the realm authority, forthwith, to intimate to the said King and Queen their humble requests; and if the same be not effectually granted, then humbly they may commit the governance thereof to the next heir of the crown, binding the same also to observe the laws and ancient rights of the realm.

Finally, If the Queen shall be unwilling to this, as it is likely she will, in respect of the greedy and tyrannous affection of France, then it is apparent that Almighty God is pleased to transfer from her the rule of the kingdom for the weal of it, and this time must be used with great circumspection to avoid the deceptions and tromperies of the French.

And then may the realm of Scotland consider, being once made free, what means may be devised by God's goodness, to accord the two realms, to endure for time to come at the pleasure of Almighty God, in whose hands the hearts of all Princes be.

<sup>c</sup> Keith, App. 29.

<sup>d</sup> Knox, 214. Keith, App. 44.

studious to preserve appearances with France, her subsidies were bestowed at first with extreme frugality. The subsistence of an army, and the expenses of a siege, soon exhausted this penurious supply, to which the lords of the Congregation could make little addition from their own funds ; and the ruin and dispersion of the party must have instantly followed.

She sends them a small sum of money. In order to prevent this, Cockburn of Ormiston was sent, with the utmost expedition, to the governors of the town and castle of Berwick. As Berwick was at that time the town of greatest importance on the Scottish frontier, Sir Ralph Sadler and Sir James Crofts, persons of considerable figure, were employed to command there, and were intrusted with a discretionary power of supplying the Scottish malcontents, according to the exigency of their affairs. From them Cockburn received four thousand crowns, but little to the advantage of his associates. which is inter-cepted. The earl of Bothwell, by the queen's instigation, lay in wait for him on his return, dispersed his followers, wounded him, and carried off the money.

This unexpected disappointment proved fatal to the party. In mere despair some of the more zealous attempted to assault Leith ; but the French beat them back with disgrace, seized their cannon, and, pursuing them to the gates of Edinburgh, were on the point of entering along with them. All the terror and confusion which the prospect of pillage or of massacre can excite in a place taken by storm, filled the city on this occasion. The inhabitants fled from the enemy by the opposite gate ; the forces of the Congregation were irresolute and dismayed ; and the queen's partisans in the town openly insulted both. At last, a few of the nobles ventured to face the enemy, who, after plundering some houses in the suburbs, retired with their booty, and delivered the city from this dreadful alarm.

A second skirmish, which happened a few days after, was no less unfortunate. The French sent out a detachment to intercept a convoy of provisions which was de-

signed for Edinburgh. The lords of the Congregation, having intelligence of this, marched in all haste with a considerable body of their troops, and falling upon the enemy between Restalrig and Leith, with more gallantry than good conduct, were almost surrounded by a second party of French, who advanced in order to support their own men. In this situation a retreat was the only thing which could save the Scots; but a retreat over marshy ground, and in the face of an enemy superior in number, could not long be conducted with order. A body of the enemy hung upon their rear, horse and foot fell into the utmost confusion, and it was entirely owing to the over-caution of the French, that any of the party escaped being cut in pieces.

They retire from Leith in confusion.

On this second blow, the hopes and spirits of the Congregation sunk altogether. They did not think themselves secure even within the walls of Edinburgh, but instantly determined to retire to some place at a great distance from the enemy. In vain did the prior of St. Andrew's, and a few others, oppose this cowardly and ignominious flight. The dread of the present danger prevailed over both the sense of honour and zeal for the cause.

At midnight they set out from Edinburgh in great confusion, and marched without halting till they arrived at Stirling.<sup>e</sup>

During this last insurrection, the great body of the Scottish nobility joined the Congregation. The lords Seton and Borthwick were the only persons of rank who took arms for the queen, and assisted her in defending Leith.<sup>f</sup> Bothwell openly favoured her cause, but resided at his own house. The earl of Huntly, conformable to the crafty policy which distinguished his character, amused the leaders of the Congregation, whom he had engaged to assist, with many fair promises, but never joined them with a single man.<sup>g</sup> The earl of Morton, a member of the Congregation, fluctuated in a state of irresolution, and did not act heartily

<sup>e</sup> Keith, App. 21—45.

<sup>f</sup> Ibid. Id. 31.

<sup>g</sup> Ibid. Id. 33. Knox, 222.

for the common cause. Lord Erskine, governor of Edinburgh castle, though a Protestant, maintained a neutrality, which he deemed becoming the dignity of his office; and having been intrusted by parliament with the command of the principal fortress in the kingdom, he resolved that neither faction should get it into their hands.

Maitland  
revolts  
from the  
queen-  
dowager.

A few days before the retreat of the Congregation, the queen suffered an irreparable loss by the defection of her principal secretary, William Maitland of Lethington. His zeal for the reformed religion, together with his warm remonstrances against the violent measures which the queen was carrying on, exposed him so much to her resentment, and to that of her French counsellors, that he, suspecting his life to be in danger, withdrew secretly from Leith, and fled to the lords of the Congregation;<sup>h</sup> and they with open arms received a convert, whose abilities added both strength and reputation to their cause. Maitland had early applied to public business admirable natural talents, improved by an acquaintance with the liberal arts; and, at a time of life when his countrymen of the same quality were following the pleasures of the chase, or serving as adventurers in the armies of France, he was admitted into all the secrets of the cabinet, and put upon a level with persons of the most consummate experience in the management of affairs. He possessed, in an eminent degree, that intrepid spirit which delights in pursuing bold designs, and was no less master of that political dexterity which is necessary for carrying them on with success. But these qualities were deeply tinged with the neighbouring vices. His address sometimes degenerated into cunning; his acuteness bordered upon excess; his invention, over-fertile, suggested to him, on some occasions, chimerical systems of policy, too refined for the genius of his age or country; and his enterprising spirit engaged him in projects vast and splendid, but beyond his utmost power to execute. All the contemporary writers,

<sup>h</sup> Knox, 192.

to whatever faction they belong, mention him with an admiration which nothing could have excited but the greatest superiority of penetration and abilities.

The precipitate retreat of the Congregation increased to such a degree the terror and confusion which had seized the party at Edinburgh, that, before the army reached Stirling, it dwindled to an inconsiderable number. The spirit of Knox, however, still remained undaunted and erect, and having mounted the pulpit, he addressed to his desponding hearers, an exhortation, which wonderfully animated and revived them. The heads of this discourse are inserted in his History,<sup>1</sup> and afford a striking example of the boldness and freedom of reproof assumed by the first reformers, as well as a specimen of his own skill in choosing the topics most fitted to influence and rouse his audience.

The lords of the Congregation apply again to Elizabeth. A meeting of the leaders being called to consider what course they should hold, now that their own resources were all exhausted, and their destruction appeared to be unavoidable without foreign aid, they turned their eyes once more to England, and resolved to implore the assistance of Elizabeth towards finishing an enterprise, in which they had so fatally experienced their own weakness, and the strength of their adversaries. Maitland, as the most able negotiator of the party, was employed in this embassy. In his absence, and during the inactive season of the year, it was agreed to dismiss their followers, worn out by the fatigues of a campaign which had so far exceeded the usual time of service. But, in order to preserve the counties most devoted to their interest, the prior of St. Andrew's, with part of the leaders, retired into Fife. The duke of Chatelherault, with the rest, fixed his residence at Hamilton. There was little need of Maitland's address or eloquence to induce Elizabeth to take his country under her protection. She observed the prevalence of the French counsels, and the progress of their arms in Scotland, with great concern; and as she well foresaw the

<sup>1</sup> Knox, 193.

dangerous tendency of their schemes in that kingdom, she had already come to a resolution with regard to the part she herself would act, if their power there should grow still more formidable.

Motives which determined her to assist them. In order to give the queen and her privy council a full and distinct view of any important matter which might come before them, it seems to have been the practice of Elizabeth's ministers to prepare memorials, in which they clearly stated the point under deliberation, laid down the grounds of the conduct which they held to be most reasonable, and proposed a method for carrying their plan into execution. Two papers of this kind, written by Sir William Cecil with his own hand, and submitted by the queen to the consideration of her privy council, still remain;<sup>k</sup> they are entitled, "A short discussion of the weighty matter of Scotland," and do honour to the industry and penetration of that great minister. The motives which determined the queen to espouse so warmly the defence of the Congregation, are represented with perspicuity and force; and the consequence of suffering the French to establish themselves in Scotland, are predicted with great accuracy and discernment.

He lays it down as a principle, agreeably to the laws both of God and of nature, that every society hath a right to defend itself, not only from present dangers, but from such as may probably ensue; to which he adds, that nature and reason teach every prince to defend himself by the same means which his adversaries employ to distress him. Upon these grounds, he establishes the right of England to interpose in the affairs of Scotland, and to prevent the conquest of that kingdom, at which the French openly aimed. The French, he observes, are the ancient and implacable enemies of England. Hostilities had subsisted between the two nations for many centuries. No treaty of peace into which they entered had ever been cordial or sincere. No good effect therefore was to be expected from the peace lately agreed upon, which, being extorted by present ne-

<sup>k</sup> Burn. vol. iii. App. 283. Forbes, i. 387, &c. Keith, App. 24.

cessity, would be negligently observed, and broken on the slightest pretences. In a very short time, France would recover its former opulence; and though now drained of men and money by a tedious and unsuccessful war, it would quickly be in a condition for acting, and the restless and martial genius of the people would render action necessary. The princes of Lorrain, who at that time had the entire direction of French affairs, were animated with the most virulent hatred against the English nation. They openly called in question the legitimacy of the queen's birth, and, by advancing the title and pretensions of their niece, the queen of Scotland, studied to deprive Elizabeth of her crown. With this view, they had laboured to exclude the English from the treaty of Chateau en Cambresis, and endeavoured to conclude a separate peace with Spain. They had persuaded Henry II. to permit his daughter-in-law to assume the title and arms of queen of England; and even since the conclusion of the peace, they had solicited at Rome, and obtained, a bull declaring Elizabeth's birth to be illegitimate. Though the wisdom and moderation of the constable Montmorency had for some time checked their career, yet these restraints being now removed by the death of Henry II. and the disgrace of his minister, the utmost excesses of violence were to be dreaded from their furious ambition, armed with sovereign power. Scotland is the quarter where they can attack England with most advantage. A war on the borders of that country, exposes France to no danger, but one unsuccessful action there may hazard the crown, and overturn the government of England. In political conduct, it is childish to wait till the designs of an enemy be ripe for execution. The Scottish nobles, after their utmost efforts, have been obliged to quit the field; and, far from expelling the invaders of their liberties, they behold the French power daily increasing, and must at last cease from struggling any longer in a contest so unequal. The invading of England will immediately follow the reduction of the Scottish malcontents, by the abandoning of whom to the mercy of the French, Elizabeth will

open a way for her enemies into the heart of her own kingdom, and expose it to the calamities of war, and the danger of conquest. Nothing therefore remained but to meet the enemy while yet at a distance from England, and, by supporting the Congregation with a powerful army, to render Scotland the theatre of the war, to crush the designs of the princes of Lorrain in their infancy, and, by such an early and unexpected effort, to expel the French out of Britain, before their power had time to take root and grow up to any formidable height. But as the matter was of as much importance as any which could fall under the consideration of an English monarch, wisdom and mature counsel were necessary in the first place, and afterward, vigour and expedition in conduct; the danger was urgent, and, by losing a single moment, might become unavoidable.<sup>1</sup>

<sup>1</sup>The arguments which the Scots employed, in order to obtain Elizabeth's assistance, are urged with great force, in a paper of Maitland's.

*A letter of Maitland of Lethington's, thus directed:—*

To my loving friend James. Be this delivered at London.

I understand by the last letter I received from zow, that discoursing with zour countrymen upon the matter of Scotland, and comoditeys may ensue to that realm hereafter, gif ze presently assist ws with zour forces, ze find a nombre of the contrary advise, doubting that we sall not at length be found Cott. Lib. trusty friends, nor mean to contynue in constant ametye, albeit we promise, Cal. B. ix. but only for avoyding the present danger make zow to serve our turne, and From the after being delivered, becom enemies as of before. For profe quhareof, they originalin alledge things that have past betwixt ws heretofore, and a few presumptuous tiones tending to the sam end, all grounded upon mistrust; quhilks, at the his own hand. first sight, have some shewe of apparence, gif men wey not the circumstances of the matter; but gif they will confer the tyme past with the present, consider the nature of this caus, and estate of our contrey, I doubt not but jugement sal be able to banish mistrust. And first, I wad wish ze should examyne the causes off the old imitye betwixt the realms of England and Scotland, and quhat moved our ancestors to enter into ligue with the Frenche; quhilks by our storeys and registres of antiquiteys appear to be these. The princes of England, some tyme, alledging a certain kynde of soveraintye over this realm; some tyme upon hye courage, or incited by incursions off our bordoures, and semblable occasions, mony tymes enterprised the conquest of ws, and sa far furth preist it by force off armes, that we wer dryven to great extramiteys, by loss of our Princes, our noblemen, and a good part of our contrey, sa that experience taught ws that our owne strength was scarce sufficient to withstand the force of England. The Frenche zour auncient enemyes, considering well how nature had sa placed ws in a iland with zow, that na nation was able sa to annoye England as we being enemyes, soucht to joine ws to theym in ligue, tending by that meane to detourne zour armyes from the invasion of France, and occupy zow in the defence off zour country at hame, offering for that effect to bestowe some charges upon ws, and for compassing off theyr purpos, choysed a tyme to propone the matter, quhen the fresche memory off injuris lately receaved at zour hands, was sa depely prented on our hartes, that all our myndes were occupied how to be revenged, and arme ourselves with the power off a forayne Prince against zour enterprises thereafter.

This was the beginning off our confederacy with France. At quhilk tyme, our cronicles maks mention, that some off the wysest foresaw the perill, and small fruite should redound to ws thereof at lenth: zit had affection sa blinded jugement, that the advise of the maist part overcame the best. The maist part of all querells betwixt ws since that tyme, at least quhen the provocation came on our syde, hes ever fallen out



These arguments produced their full effect upon Elizabeth, who was jealous, in an extreme degree, of every pre-

by their procurement rather than any one cause off ourselves: and quhensaeuer we brack the peace, it come partly by theyre intygements, partly to eschew the conquest intended by that realm. But now hes God's providence sa altered the case, ze changed it to the plat contrary, that now hes the Frenche taken zour place, and we, off very judgement, becum desyrous to have zow in theyr rowme. Our eyes are opened, we espy how uncareful they have been of our weile at all tymes, how they made ws ever to serve theyr turne, drew us in maist dangerous weys for theyr commodite, and nevertheless wad not styck, oft tymes, against the natour of the ligue, to contrak peace, leaving ws in weyr. We see that their support, off late zeres, wes not grantit for any affection they bare to ws, for pytie they had off our estate, for recompense off the lyke friendship schawin to them in tyme off theyr afflictions, but for ambition, and insaciable cupidite to reygne, and to mak Scotland ane accessory to the crown of France. This was na friendly office, but mercenary, craving hyre farre exceeding the proportion of theyr deserving; a hale realm for the defence of a part. We see theym manifestly attempt the thing we suspected off zow; we feared ze ment the conquest off Scotland, and they are planely fallen to that work; we hated zow for doubt we had ze ment evill towards ws, and sall we love theym, quhilks bearing the name off frends, go about to bring ws in maist vile servitude? Gif by zour friendly support at this tyme, ze sall declare that not only sute ze not the ruine off our cuntry, but will preserve the libertie thereof from conquest by strangeares, sall not the occasion off all inimitie with zow, and ligue with theym, be taken away? The causes being removed, how sall the effectes, remane? The fear of conquest made ws to hate zow and love theym, the cais changed, quhen we see theym planely attempt conquest, and zow schaw ws friendship, sall we not hate them, and favour zow? Gif we have schawne sa great constance, continuing sa mony zeares in amity with theym, off quhome we had sa small commodite, quhat sall move us to breake with zow, that off all nations may do ws greatest plesour?

But ze will say, this mater may be reconcyled and then friends as off before. I think weill peace is the end of all weyr, but off this ze may be assured, we will never sa far trust that reconciliation, that we will be content to forego the ametye of England, nor do any thing may bring ws in suspicion with zow. Giff we wold at any tyme, to please theym, break with zow, should we not, besydes the losse off estimation and discrediting of ourselves, perpetually expone our common weill to a maist manifest danger, and becum a pray to theyr tyranny? Quhais aid could we implore, being destitute of zour friendship, giff they off new wald attempt theyr former enterprise? Quhat nation myght help ws giff they wald, or wald giff they myght? and it is lyke enuch, they will not stick hereafter to tak theyr time off ws, quhen displeasour and grudge hes taken depe rute on baith sydes, seeing ambition has sa impyrit ower theyr reason, that before we had ever done any thing myght offend theym, but by the contrary pleased theym by right and wrang, they did not stick to attempte the subversion of our hale state. I wald ze should not esteeme ws sa barayne of judgement, that we cannot forese our awne perrill; or sa foolische, that we will not study by all gode means to entertayne that thing may be our safetie; quhilk consistes all in the relaying of zour frendships. I pray zow consider in lyke case, when, in the days of zour Princes off maist noble memory King Henry the VIII. and King Edward the VI. meanes wer opened off ametye betwixt baith realms; was not at all tymes the difference of religion the onley stay, they wer not embraced? Did not the craft of our clergy and power of theyr adherents subvert the devises of the better sort? But now has God off his mercy removed that block furth of the way; now is not theyr practise lyke to tak place any mare, when we ar comme to a conformity off doctrine, and profes the same religion with zow, quhilk I take to be the straytest knot off amitye can be devised. Giff it may be alledged that some off our countrymen at any tyme violated theyr promis, giff ze lif to way the circumstances, ze sall fynd the promis is rather brought on by necessity, after a great overthrow off our men, then comme off fre will, and tending ever to our great incommodite and decay off our haill state, at leist sa taken. But in this case, sall the preservation off our libertie be inseparably joined with the keeping off promesse, and the violation off our fayth cast ws in maist miserable servitude: So that giff neyther the feare off God, reverence of man, religion, othe, promise, nor warldly honestye wes sufficient to bynd ws, yet sall the zeale off our native cuntry, the maintenance off our owne state, the safety of our wyffes and childrene from slavery, compell ws to kepe promesse, I am assured, it is trewly and sincerely ment on our part to continew in perpetual ametye with zow, it sall be uttered by our proceedings. Giff ze be as desirous off it as we ar, assurances may be devysed, quharby all partyes will be out of doubte. There be

tender to her crown, and no less anxious to preserve the tranquillity and happiness of her subjects. From these

gode meanes to do it, fit instruments for the purpos, tyme serves weill, the inhabitants of baith realms wish it, God hes wrought in the people's hartes on baith parties a certaine still agreement upon it, never did, at any tyme, so many things concur at ones to knyt it up, the disposition off a few, quahis barts are in Godis hands, may mak up the hale. I hope he quha hes begun this work, and mainteyned it quhile now, by the expectation of man, sall perfyte it.

I pray zow, let not zour men dryve time in consultation, quether ze sall support ws or no. Saying the mater speaketh for itself, that ze mon take upon zow the defence off our caus, giff ze have any respect for zour awne weill. Their preparatives in France, and levying of men in Germany (quheyroff I am lately advertised), ar not altogydde ordeyned for us, ze ar the mark they shote at; they seke our realme, but for ane entrey to zours. Giff they should directly schaw hostilete to zow, they knaw zo wald mak redy for theyme, therefor they do, by indirect meanes, to blind zow, the thing they dare not as zit planely attempte. They seme to invade us to th' end, that having assembled theyr hale forces sa nere zour bordours, they may unlok it to attack zow: It is ane off theyr ald fetches, making a schew to one place, to lyght on ane other. Remember how covertly zour places about Boulougne were assaizet, and carryed away, ze being in peace as now. How the enterprise of Calais was fynely dissembled, I think ze have not sa some forgotten. Beware of the third, prevent theyr policy by prudence. Giff ze se not the lyke disposition presently in theym, ze se nothing. It is a grosse ignorance to misknaw, what all nations planely speks off. Tak heed ze zay not hereafter, "Had I wist;" ane uncomely sentence to procede off a wyse man's mouth. That is onwares chanced on to zow, quhilk zow commonly wissed, that this cuntry might be divorced from the Frensche, and is sa comme to pass as was maist expedient for zow. For giff by your intyement we had taken the mater in hand, ze myght have suspected we would have been ontrusty frends, and na langer continued stedfaste, then perill had appeared. But now, quhen off our self, we have conceived the hatered, provoked by private injuries, and that theyr evil dealing with ws hes deserved our inimitye, let no man doubt but they sall fynd ws ennemyes in earnest, that sa ungently hes demeyned our cuntry, and at quahis hands we look for nothing but all extremitye, giff ever they may get the upper hand. Let not this occasion, sa hapely offered, escape zow: giff ze do, neglecting the present opportunite, and hoping to have ever gode luk, comme sleeping upon zow, it is to be feared zour enemye waxe so great, and sa strang, that afterwards quhen ze wald, ze sall not be able to put him down; and then, to zour smart, after the tyme ze will acknowledge zour error. Ze have felt, by experience, quhat harme cometh off oversight, and trusting to zour ennemyes promesse. We offer zow the occasion, quheyrbz zour former losses may be repayed. Quhilk gif ze let over slyde, suffering ws to be owerrun, quha then, I pray zow, sall stay the Frensche, that they sall not invade zow in zour own boundes, sic is their lust to reygne, that they can neyther be content with theyr fortune present, nor rest and be satisfied when they have gode luck, but will still follow on having in theyr awne brayne conceived the image of sa great a conquest, quhat thing ye sal be the end? Is ther any of sa small judgement, that he doth not foresee already, that theyr hail force sall then be bent against zow?

It sal not be amis, to consider in quhat case the Frensche be presently. Their estate is not always sa calme at hame as every man thinketh. And trewly it was not theyr great redines for weyr made theym to tak this mater on hand, at this tyme, but rather a vayne trust in their awne policy, thinking to have found na resistance, theyr opinion hes deceived theym, and that makes them now amased. The estates off the empire (as I heare) has suted restitution off th' imperial towns Metz, Toull, and Verdun, quhilk may grow to some besynes; and all thing is not a calme within theyr awne cuntry, the les fit they be presently for weyr, the mare oportune esteme ye the tyme for zow. Giff the lyke occasion wer offered to the Frensche against zow, wey, how gladly would they embrace it. Are ze not ecshamed of zour sleuth, to spare theym that hes already compassed your destruction, giff they wer able? Consider with your self quhilk is to be choysed? To weyr against them out with zour realme or within? Giff quhill ze sleape, we sal be overthrowne, then sall they not fayle to fyte zow in zour owne cuntry, and use ws as a fote stole to overlake zow. But some will say, perhaps, they meane it not. It is foly to think they wald not giff they wer able, quhen before hand they stick not to giff zour armes, and usurpe the style of zour crown. Then quhat difference there is to camp within zour awne bounds or without, it is manifest. Giff twa armyes should camp in zour cuntry, but a moneth; albeit ye re-

motives she had acted, in granting the Congregation an early supply of money; and from the same principles she determined, in their present exigency, to afford them more effectual aid. One of Maitland's attendants was instantly dispatched into Scotland with the strongest assurances of her protection, and the lords of the Congregation were desired to send commissioners into England, to conclude a treaty, and to settle the operations of the campaign with the duke of Norfolk.<sup>m</sup>

ceaved na other harme, zit should zowr losse be greater, nor all the charge ze will nede to bestow on our support will draw to, besydes the dishonour.

Let not me, that eyther lack gode advise, or ar' not for perticular respects weill affected to the caus, move zow to subtract zour helping hand, by alleging things not apparent, for that they be possible. It is not, I grant, impossible that we may receave conditiones of peace; but I see little likelyhode that our ennemyes will offer ws sik as will remove all mistrust, and giff we wald have accepted others, the mater had bene lang or now compounded. Let zow not be moved for that they terme ws rebelles, and diffames our just querell with the name of conspiracy against our soverayne. It is Hir Hyenes ryght we manetayne. It is the liberty off hir realme we study to preserve with the hazard of our lyves. We are not (God knaweth) comme to this poynt for wantones, as men impacient of rewill, or willing to schake off the zoke of government, but ar drawne to it by necessite, to avoide the tyranny of strangeares, seaking to defraude ws off lawful government. Giff we should suffer strangeares to plant themselfes peaceably in all the strenthes of our realme, fortify the sey-portes, and maist important places, as ane entre to a plain conquest, now in the minorite of our soverayne, beyng furth of the realme, should we not be thought oncareful off the common weill, betrayares of our native countrey, and evill subjects to Hir Majeste? Quhat other opinion could sche have off ws? Might she not justly hereafter call ws to accompt, as negligent ministeres? Giff strangeares should be thus suffered to broke the chefe offices, beare the hail rewill, alter and pervert our lawes and liberty at their plesour; myght not the people esteem our noblemen unworthy the place of counsalours? We mean na wyse to subtrak our obedience from our soverayne, to defraud Hir Hyenes off her dew reverence, rents and revenues off hir crown. We seke nothing but that Scotland may remane, as of before, a fre realme, rewliit by Hir Hyenes and hir ministeres borne men of the sam; and that the succession of the crown may remane with the lawful blode.

I wald not ze sould not sa lyttill esteme the friendship of Scotland, that ze juged it not worthy to be embraced. It sall be na small commodite for zow to be delivered off the annoyance of so neir a nyghtbour, quhais inimitye may more trouble zow, then off any other nation albeit twyssas puissant, not lyeng dry marche with zow. Besydes that ze sall not nede to feare the invasion of any prince lackyng the commodite to invade zow by land, on our hand. Consider quhat superfluous charges ze bestowe on the fortification and keping of Barwick: quhilk ze may reduce to a mean sowme, having ws to frendes. The realme of Ireland being of natour a gode and fertill countrey, by reason of the continewalld unquietnes and lak of policy, ze knaw to be rather a burthen unto zow than great advantage; and giff it were peaceable may be very commodious. For pacification quhayroff, it is not onknowne to zow quhat service we ar abill to do. Refuse not theyr commoditeys, besides mony ma quhen they are offred. Quhilkis albeit I study not to amplify and dilate, yet is na other countrey able to offer zow the lyke, and are the rather to be embraced, for that zour auncestors, by all meanes, maist earnestly suted our amity, and yet it was not theyr hap to come by it. The mater hes almaist carryed me beyond the boundes off a lettre, quharfor I will leave to trouble zow after I have geven you this note. I wald wiss that ze, and they that ar learned, sould rede the twa former orations of Demosthenes, called Olynthiacæ, and considere quhat counsall that wyse oratour gave to the Athenians, his countrymen, in a lyke case; quhilk hes so great affinite with this cause of ours, that every word thereof myght be applyed to our purpos. There may ze learne of him quhat advise is to be followed, when your nyghbours hous is on fyre. Thus I bid zow hartely fareweill. From Sant Andrews, the 20th of January 1559.

<sup>m</sup> Keith, 114. Rymer, xv. p. 569.

The queen-dowager meanwhile sends her French troops against them.

Meanwhile the queen regent, from whom no motion of the Congregation could long be concealed, dreaded the success of this negotiation with the court of England, and foresaw how little she would be able to resist the united efforts of the two kingdoms. For this reason she determined, if possible, to get the start of Elizabeth; and by venturing, notwithstanding the inclemency of the winter season, to attack the malcontents in their present dispersed and helpless situation, she hoped to put an end to the war before the arrival of their English allies.

A considerable body of her French forces, who were augmented about this time by the arrival of the count de Martigues, with a thousand veteran foot, and some cavalry, were commanded to march to Stirling. Having there crossed the Forth, they proceeded along the coast of Fife, destroying and plundering, with excessive outrage, the houses and lands of those whom they deemed their enemies. Fife was the most populous and powerful county in the kingdom, and most devoted to the Congregation, who had hitherto drawn from thence their most considerable supplies, both of men and provisions; and therefore, besides punishing the disaffection of the inhabitants, by pillaging the country, the French proposed to seize and fortify St. Andrew's, and to leave in it a garrison sufficient to bridle the mutinous spirit of the province, and to keep possession of a port situated on the main ocean.<sup>a</sup>

But on this occasion, the prior of St. Andrew's, lord Ruthven, Kirkaldy of Grange, and a few of the most active leaders of the Congregation, performed by their bravery and good conduct, a service of the utmost importance to their party. Having assembled six hundred horse, they infested the French with continual incursions, beat up their quarters, intercepted their convoys of provisions, cut off their straggling parties, and so harassed them with perpetual alarms, that they prevented them for more than three weeks from advancing.<sup>o</sup>

<sup>a</sup> Haynes, 221, &c.

<sup>o</sup> Knox, 202.

1560. At last the prior, with his feeble party, was constrained to retire, and the French set out from Kirkaldy, and began to move along the coast towards St.

Jan. 23. Andrew's. They had advanced but a few miles, when, from an eminence, they descried a powerful fleet steering its course up the Frith of Forth. As they knew that the marquis D'Elbeuf was at that time preparing to sail for Scotland with a numerous army, they hastily concluded that these ships belonged to them, and gave way to the most immoderate transports of joy, on the prospect of this long-expected succour. Their great guns were already fired to welcome their friends, and to spread the tiding and terror of their arrival among their enemies, when a small boat from the opposite coast landed, and blasted their premature and short-lived triumph, by informing them, that it was the fleet of England which was in sight, intended for the aid of the Congregation, and was soon to be followed by a formidable land army.<sup>p</sup>

The English fleet arrives to their assistance.

Throughout her whole reign, Elizabeth was cautious, but decisive; and, by her promptitude in executing her resolutions, joined to the deliberation with which she formed them, her administration became remarkable, no less for its vigour than for its wisdom. No sooner did she determine to afford her protection to the lords of the Congregation, than they experienced the activity, as well as the extent of her power. The season of the year would not permit her land army to take the field; but lest the French should, in the meantime, receive new reinforcements, she instantly ordered a strong squadron to cruise in the Frith of Forth. She seems, by her instructions to Winter her admiral, to have been desirous of preserving the appearances of friendship towards the French.<sup>q</sup> But these were only appearances; if any French fleet should attempt to land, he was commanded to prevent it, by every act of hostility and violence. It was the sight of this squadron, which occasioned at first so much

<sup>p</sup> Knox. 203.

<sup>q</sup> Keith, App. 45. Haynes, 231.

joy among the French, but which soon inspired them with such terror, as saved Fife from the effects of their vengeance. Apprehensive of being cut off from their companions on the opposite shore, they retreated towards Stirling with the utmost precipitation, and in a dreadful season, and through roads almost impassable, arrived at Leith, harassed and exhausted with fatigue.<sup>1</sup>

The English fleet cast anchor in the road of Leith, and continuing in that station till the conclusion of peace, both prevented the garrison of Leith from receiving succours of any kind, and considerably facilitated the operations of their own forces by land.

They conclude a treaty with England, Feb. 27. Soon after the arrival of the English squadron, the commissioners of the Congregation repaired to Berwick, and concluded with the duke of Norfolk a treaty, the bond of that union with Elizabeth, which was so great advantage to the cause. To give a check to the dangerous and rapid progress of the French arms in Scotland, was the professed design of the contracting parties. In order to this, the Scots engaged never to suffer any closer union of their country with France; and to defend themselves to the uttermost against all attempts of conquest. Elizabeth, on her part, promised to employ in Scotland a powerful army for their assistance, which the Scots undertook to join with all their forces; no place in Scotland was to remain in the hands of the English; whatever should be taken from the enemy was either to be rased, or kept by the Scots, at their choice; if any invasion should be made upon England, the Scots were obliged to assist Elizabeth with part of their forces; and, to ascertain their faithful observance of the treaty, they bound themselves to deliver hostages to Elizabeth, before the march of her army into Scotland; in conclusion, the Scots made many protestations of obedience and loyalty towards their own queen, in every thing not inconsistent with their religion, and the liberties of their country.<sup>2</sup>

<sup>1</sup> Knox, 203.

<sup>2</sup> Ibid. 217. Haynes, 253, &c.

The English army, consisting of six thousand foot and two thousand horse, under the command of Lord Gray, of Wilton, entered Scotland early in the spring. The members of the Congregation assembled from all parts of the kingdom to meet their new allies; and having joined them with great multitudes of their followers, they advanced together towards Leith. The French were little able to keep the field against an enemy so much superior in number. A strong body of troops, destined for their relief, had been scattered by a violent storm, and had either perished on the coast of France, or with difficulty had recovered the ports of that kingdom.<sup>t</sup> But they hoped to be able to defend Leith, till the princes of Lorraine should make good the magnificent promises of assistance, with which they daily encouraged them; or till scarcity of provisions should constrain the English to retire into their own country. In order to hasten this latter event, they did not neglect the usual, though barbarous precaution for distressing an invading enemy, by burning and laying waste all the adjacent country.<sup>u</sup> The zeal, however, of the nation frustrated their intentions; eager to contribute towards removing their oppressors, the people produced their hidden stores to support their friends; the neighbouring counties supplied every thing necessary; and, far from wanting subsistence, the English found in their camp all sorts of provisions at a cheaper rate than had for some time been known in that part of the kingdom.<sup>x</sup>

On the approach of the English army, the queen regent retired into the castle of Edinburgh. Her health was now in a declining state, and her mind broken and depressed by the misfortunes of her administration. To avoid the danger and fatigue of a siege, she committed herself to the protection of lord Erskine. This nobleman still preserved his neutrality, and by his integrity, and love of his country, merited equally the esteem of both parties. He received the queen herself with the utmost honour and respect, but

<sup>t</sup> Mem, de Castel. 450.<sup>u</sup> Knox, 225.<sup>x</sup> Id. *ibid*.

took care to admit no such retinue as might endanger his command of the castle.<sup>y</sup>

April 6. A few days after they arrived in Scotland, the English invested Leith. The garrison shut up within the town was almost half as numerous as the army which sat down before it, and by an obstinate defence protracted the siege to a great length. The circumstances of this siege, related by contemporary historians, men without knowledge or experience in the art of war, are often obscure and imperfect, and at this distance of time are not considerable enough to be entertaining.

April 15. At first the French endeavoured to keep possession of the Hawk Hill, a rising ground not far distant from the town, but were beat from it with great slaughter, chiefly by the furious attack of the Scottish cavalry. Within a few days the French had their full revenge; having sallied out with a strong body, they entered the English trenches, broke their troops, nailed part of their cannon, and killed at least double the number they had lost in the former skirmish. Nor were the English more fortunate in an attempt which they made to take the place

by assault; they were met with equal courage, and repulsed with considerable loss. From the detail of these circumstances by the writers of that age, it is easy to observe the different characters of the French and English troops. The former, trained to war during the active reigns of Francis I. and Henry II., defended themselves not only with the bravery but with the skill of veterans. The latter, who had been more accustomed to peace, still preserved the intrepid and desperate valour peculiar to the nation, but discovered few marks of military genius, or of experience in the practice of war. Every misfortune or disappointment during the siege must be imputed to manifest errors in conduct. The success of the besieged in their sally was owing entirely to the security and negligence of the English; many of their officers were absent; their soldiers had left their stations; and their trenches were almost



without a guard.<sup>2</sup> The ladders, which had been provided for the assault, wanted a great deal of the necessary length; and the troops employed in that service were ill supported. The trenches were opened at first in an improper place; and as it was found expedient to change the ground, both time and labour were lost. The inability of their own generals, no less than the strength of the French garrison, rendered the progress of the English wonderfully slow. The long continuance, however, of the siege, and the loss of part of their magazines by an accidental fire, reduced the French to extreme distress for want of provisions, which the prospect of relief made them bear with admirable fortitude.

While the hopes and courage of the French protracted the siege so far beyond expectation, the leaders of the Congregation were not idle. By new associations and confederacies, they laboured to unite their party more perfectly. By publicly ratifying the treaty concluded at Berwick, they endeavoured to render the alliance with England firm and indissoluble. Among the subscribers we find the Earl of Huntly, and some others, who had not hitherto concurred with the Congregation in any of their measures.<sup>3</sup> Several of these lords, particularly the earl of Huntly, still adhered to the popish church; but, on this occasion, neither their religious sentiments, nor their former cautious maxims, were regarded; the torrent of national resentment and indignation against the French hurried them on.<sup>b</sup>

<sup>2</sup> Haynes, 294. 298. 305, &c.

<sup>3</sup> Burn. vol. iii. 287. Knox, 221. Haynes, 261. 263.

<sup>b</sup> The dread of the French power did on many occasions surmount the zeal which the Catholic nobles had for their religion. Besides the presumptive evidence for this, arising from the memorial mentioned by Burnet, Hist. of the Reformation, vol. iii. 281. and published by him, App. p. 278. the instructions of Elizabeth to Randolph her agent, put it beyond all doubt, that many zealous Papists thought the alliance with England to be necessary for preserving the liberty and independence of the kingdom. Keith, 158. Huntly himself began a correspondence with Elizabeth's ministers, before the march of the English army into Scotland. Haynes's State Papers, 261. 263.

*Part of a Letter from Tho. Randolph to Sir William Cecil, from the camp before Leith, 29th of April, 1560.*

An original in the Paper Office. I will only, for this time, discharge myself of my promise to the Earl of Huntly, who so desyreth to be recommended to you, as one, who, with all his heart, favoureth this cause, to the uttermost of his power. Half the words that come out of his mouth were able to persuade an unexperienced man to speak farther in his behalf, than I dare be bold to write. I leave it to your Honour to judge of him, as of a man not unknown to you, and will myself always measure my thoughts, as he shall deserve to be spoken of. With much diffi-

Death and character of the queen-dowager, June 10. The queen regent, the instrument, rather than the cause of involving Scotland in those calamities under which it groaned at that time, died during the heat of the siege. No princess ever possessed qualities more capable of rendering her administration illustrious, or the kingdom happy. Of much discernment, and no less address; of great intrepidity and equal prudence; gentle and humane without weakness; zealous for her religion without bigotry; a lover of justice without rigour. One circumstance, however, and that too the excess of a virtue, rather than any vice, poisoned all these great qualities, and rendered her government unfortunate, and her name odious. Devoted to the interest of France, her native country, and attached to the princes of Lorraine, her brothers, with most passionate fondness, she departed, in order to gratify them, from every maxim which her own wisdom or humanity would have approved. She outlived, in a great measure, that reputation and popularity which had smoothed her way to the highest station in the kingdom; and many examples of falsehood, and some of severity, in the latter part of her administration, alienated from her the affections of a people who had once placed in her an unbounded confidence. But, even by her enemies, these unjustifiable actions were imputed to the facility, not to the malignity, of her nature; and while they taxed her brothers and French counsellors with rashness and cruelty, they still allowed her the praise of prudence and of lenity.<sup>c</sup> A few days before her death, she desired an interview with the prior of St. Andrew's, the earl of Argyll, and other chiefs of the Congregation. To them she lamented the fatal issue of those violent counsels which she had been obliged to follow; and, with a candour natural to a generous mind, confessed the errors of her own administration, and begged

cult, and great persuasion, he hath subscribed with the rest of the Lords to join with them in this action; whatsoever he can invent to the furtherance of this cause, he hath promised to do with solemn protestation and many words; he trusteth to adjoin many to this cause; and saith surely that no man shall lie where he taketh part. He hath this day subscribed a bond between England and this nation; he saith, that there was never thing that liked him better.

<sup>c</sup> Buchanan, 321.

forgiveness of those to whom they had been hurtful; but at the same time she warned them, amidst their struggles for liberty and the shock of arms, not to lose sight of the loyalty and subjection which were due to their sovereign.<sup>d</sup> The remainder of her time she employed in religious meditations and exercises. She even invited the attendance of Willox, one of the most eminent among the reformed preachers, listened to his instructions with reverence and attention,<sup>e</sup> and prepared for the approach of death with a decent fortitude.

Motives of the French to conclude a peace. Nothing could now save the French troops shut up in Leith, but the immediate conclusion of a peace, or the arrival of a powerful army from the continent.

The princes of Lorrain amused their party in Scotland with continual expectations of the latter, and had thereby kept alive their hopes and their courage; but, at last, the situation of France, rather than the terror of the English arms, or the remonstrances of the Scottish malcontents, constrained them, though with reluctance, to turn their thoughts towards pacific counsels. The Protestants in France were at that time a party formidable by their number, and more by the valour and enterprising genius of their leaders. Francis II. had treated them with extreme rigour, and discovered, by every step he took, a settled resolution to extirpate their religion, and to ruin those who professed it. At the prospect of this danger to themselves and to their cause, the Protestants were alarmed, but not terrified. Animated with zeal, and inflamed with resentment, they not only prepared for their own defence, but resolved, by some bold action, to anticipate the schemes of their enemies; and as the princes of Lorrain were deemed the authors of all the king's violent measures, they marked them out to be the first victims of their indignation. Hence, and not from dis-  
March 15. loyalty to the king, proceeded the famous conspiracy of Amboise; and though the vigilance and good fortune of the princes of Lorrain discovered and disappointed that design, it was easy to observe new storms gathering in

<sup>d</sup> Lesley, de Rebus Gest. Scot. 222.

<sup>e</sup> Knox, 228.

every province of the kingdom, and ready to burst out with all the fury and outrage of civil war. In this situation, the ambition of the house of Lorrain was called off from the thoughts of foreign conquests, to defend the honour and dignity of the French crown; and, instead of sending new reinforcements into Scotland, it became necessary to withdraw the veteran troops already employed in that kingdom.<sup>f</sup>

The negotiations for that purpose. In order to conduct an affair of so much importance and delicacy, the princes of Lorrain made choice of Monluc, bishop of Valence, and of the Sieur de Randan. As both these, especially the former, were reckoned inferior to no persons of that age in address and political refinement, Elizabeth opposed to them ambassadors of equal abilities: Cecil, her prime minister, a man perhaps of the greatest capacity who had ever held that office; and Wotton, dean of Canterbury, grown old in the art of negotiating under three successive monarchs. The interests of the French and English courts were soon adjusted by men of so great dexterity in business; and as France easily consented to withdraw those forces which had been the chief occasion of the war, the other points in dispute between that kingdom and England were not matters of difficult discussion.

The grievances of the Congregation, and their demands upon their own sovereigns for redress, employed longer time, and required to be treated with a more delicate hand. After so many open attempts, carried on by command of the king and queen, in order to overturn the ancient constitution, and to suppress the religion which they had embraced, the Scottish nobles could not think themselves secure, without fixing some new barrier against the future encroachments of regal power. But the legal steps towards accomplishing this were not so obvious. The French ambassadors considered the entering into any treaty with subjects, and with rebels, as a condescension unsuitable to the dignity of a sovereign; and their scruples on this head might have put an end to the treaty, if the impatience of both

<sup>f</sup> Lesley, 224.

parties for peace had not suggested an expedient, which seemed to provide for the security of the subject, without derogating from the honour of the prince. The Scottish nobles agreed, on this occasion, to pass from the point of right and privilege, and to accept the redress of their grievances as a matter of favour. Whatever additional security their anxiety for personal safety, or their zeal for public liberty, prompted them to demand, was granted in the name of Francis and Mary, as acts of their royal favour and indulgence. And, lest concessions of this kind should seem precarious, and liable to be retracted by the same power which had made them, the French ambassador agreed to insert them in the treaty with Elizabeth, and thereby to bind the king and queen inviolably to observe them.<sup>g</sup>

In relating this transaction, contemporary historians have confounded the concessions of Francis and Mary to their Scottish subjects, with the treaty between France and England: the latter, besides the ratification of former treaties between the two kingdoms, and stipulations with regard to the time and manner of removing both armies out of Scotland, contained an article, to which, as the source of many important events, we shall often have occasion to refer. The right of Elizabeth to her crown is thereby acknowledged in the strongest terms; and Francis and Mary solemnly engaged neither to assume the title, nor to bear the arms of king and queen of England in any time to come.<sup>h</sup>

July 6. Honourable as this article was for Elizabeth herself, the conditions she obtained for her allies the Scots were no less advantageous to them. Monluc and Randan consented, in the name of Francis and Mary, that the French forces in Scotland should instantly be sent back into their own country, and no foreign troops be hereafter introduced into the kingdom without the knowledge and consent of parliament; that the fortifications of Leith and Dunbar should immediately be rased, and no new fort be erected without the permission of parliament; that a parliament should be held

<sup>g</sup> Keith, 134, &c.    <sup>h</sup> Ibid. 134. Rymier, xv. p. 581, 591, &c. Haynes, 325—364.

on the first day of August, and that assembly be deemed as valid in all respects as if it had been called by the express commandment of the king and queen; that, conformable to the ancient laws and customs of the country, the king and queen should not declare war or conclude peace without the concurrence of parliament; that, during the queen's absence, the administration of government should be vested in a council of twelve persons, to be chosen out of twenty-four named by parliament, seven of which council to be elected by the queen, and five by the parliament; that hereafter the king and queen should not advance foreigners to places of trust or dignity in the kingdom, nor confer the offices of treasurer or comptroller of the revenues upon any ecclesiastic; that an act of oblivion, abolishing the guilt and memory of all offences committed since the 6th of March, 1558, should be passed in the ensuing parliament, and be ratified by the king and queen; that the king and queen should not, under the colour of punishing any violation of their authority during that period, seek to deprive any of their subjects of the offices, benefices, or estates, which they now held; that the redress due to churchmen, for the injuries which they had sustained during the late insurrections, should be left entirely to the cognizance of parliament. With regard to religious controversies, the ambassadors declared that they would not presume to decide, but permitted the parliament, at their first meeting, to examine the points in difference, and to represent their sense of them to the king and queen.<sup>1</sup>

The effects of it. To such a memorable period did the lords of the Congregation, by their courage and perseverance, conduct an enterprise which at first promised a very different issue. From beginnings extremely feeble, and even contemptible, the party grew by degrees to great power; and, being favoured by many fortunate incidents, baffled all the efforts of their own queen, aided by the forces of a more considerable kingdom. The sovereign authority was by this treaty transferred wholly into the hands of the Con-

<sup>1</sup> Keith, 137, &c.

gregation; that limited prerogative which the crown had hitherto possessed, was almost entirely annihilated; and the aristocratical power, which always predominated in the Scottish government, became supreme and uncontrollable. By this treaty too, the influence of France, which had long been of much weight in the affairs of Scotland, was greatly diminished; and not only were the present encroachments of that ambitious ally restrained, but, by confederating with England, protection was provided against any future attempt from the same quarter. At the same time, the controversies in religion being left to the consideration of parliament, the Protestants might reckon upon obtaining whatever decision was most favourable to the opinions which they professed.

A few days after the conclusion of the treaty, both the French and English armies quitted Scotland.

A parliament held. The eyes of every man in that kingdom were turned towards the approaching parliament. A meeting, summoned in a manner so extraordinary, at such a critical juncture, and to deliberate upon matters of so much consequence, was expected with the utmost anxiety.

A Scottish parliament suitable to the aristocratical genius of the government, was properly an assembly of the nobles. It was composed of bishops, abbots, barons, and a few commissioners of boroughs, who met altogether in one house. The lesser barons, though possessed of a right to be present, either in person or by their representatives, seldom exercised it. The expense of attending, according to the fashion of the times, with a numerous train of vassals and dependants; the inattention of a martial age to the forms and detail of civil government; but, above all, the exorbitant authority of the greater nobles, who had drawn the whole power into their own hands, made this privilege of so little value, as to be almost neglected. It appears from the ancient rolls, that, during times of tranquillity, few commissioners of boroughs, and almost none of the lesser barons, appeared in parliament. The ordinary administration of government was abandoned, with-

out scruple or jealousy, to the king and to the greater barons. But in extraordinary conjunctures, when the struggle for liberty was violent, and the spirit of opposition to the crown rose to a height, the burgesses and lesser barons were roused from their inactivity, and stood forth to vindicate the rights of their country. The turbulent reign of James III. affords examples in proof of this observation.<sup>k</sup> The public indignation against the rash designs of that weak and ill-advised prince, brought into parliament, besides the greater nobles and prelates, a considerable number of the lesser barons.

The same causes occasioned the unusual confluence of all orders of men to the parliament, which met on the 1st of August. The universal passion for liberty, civil and religious, which had seized the nation, suffered few persons to remain unconcerned spectators of an assembly, whose acts were likely to prove decisive with respect to both. From all corners of the kingdom men flocked in, eager and determined to aid, with their voices in the senate, the same cause which they had defended with their swords in the field. Besides a full convention of peers, temporal and spiritual, there appeared the representatives of almost all the boroughs, and above a hundred barons, who, though of the lesser order, were gentlemen of the first rank and fortune in the nation.<sup>l</sup>

The parliament was ready to enter on the business with the utmost zeal, when a difficulty was started concerning the lawfulness of the meeting. No commissioner appeared in the name of the king and queen, and no signification of their consent and approbation was yet received. These were deemed by many essential to the very being of a parliament. But in opposition to this sentiment, the express words of the treaty of Edinburgh were urged, by which this assembly was declared to be as valid, in all respects, as if it had been called and appointed by the express command of the king and queen. As the adherents of the Congregation greatly out-numbered their adversa-

<sup>k</sup> Keith, 147.

<sup>l</sup> Ibid. 146.



ries, the latter opinion prevailed. Their boldest leaders, and those of most approved zeal, were chosen to be lords of the articles, who formed a committee of ancient use, and of great importance in the Scottish parliament.<sup>m</sup> The deliberations of the lords of the articles were carried on with the most unanimous and active zeal. The act of oblivion, the nomination of twenty-four persons, out of whom the the council, intrusted with supreme authority, was to be elected; and every other thing prescribed by the late treaty, or which seemed necessary to render it effectual, passed without dispute or delay. The article of religion employed longer time, and was attended with greater difficulty. It was brought into parliament by a petition from those who adopted the principles of the reformation. Many doctrines of the Popish church were a contradiction to reason, and a disgrace to religion; its discipline had become corrupt and oppressive; and its revenues were both exorbitant and ill-applied. Against all these the Protestants remonstrated with the utmost asperity of style, which indignation at their absurdity, or experience of their pernicious tendency, could inspire; and, encouraged by the number as well as zeal of their friends, to improve such a favourable juncture, they aimed the blow at the whole fabric of Popery; and besought the parliament to interpose its authority for rectifying these multiplied abuses.<sup>n</sup>

Several prelates, zealously attached to the ancient superstition, were present in this parliament. But, during these vigorous proceedings of the Protestants, they stood confounded and at gaze; and persevered in a silence which was fatal to their cause. They deemed it impossible to resist or divert that torrent of religious zeal, which was still in its full strength; they dreaded that their opposition would irritate their adversaries and excite them to new acts of violence; they hoped that the king and queen

<sup>m</sup> From an original letter of Hamilton, archbishop of St. Andrew's, it appears that the lords of articles were chosen in the manner afterward appointed by an act of parliament, 1633. Keith, p. 487. Spottiswood seems to consider this to have been the common practice. Hist. 149.

<sup>n</sup> Knox, 237.

would soon be at leisure to put a stop to the career of their insolent subjects, and that, after the rage and havoc of the present storm, the former tranquillity and order would be restored to the church and kingdom. They were willing, perhaps, to sacrifice the doctrine, and even the power of the church, in order to ensure the safety of their own persons, and to preserve the possession of those revenues which were still in their hands. From whatever motives they acted, their silence, which was imputed to the consciousness of a bad cause, afforded matter of great triumph to the Protestants, and encouraged them to proceed with more boldness and alacrity.<sup>o</sup>

The parliament did not think it enough to condemn those doctrines mentioned in the petition of the Protestants; they moreover gave the sanction of their approbation to a confession of faith presented to them by the reformed teachers;<sup>p</sup> and composed, as might be expected from such a performance at that juncture, on purpose to expose the absurd tenets and practices of the Romish church. By another act, the jurisdiction of the ecclesiastical courts was abolished, and the causes which formerly came under their cognizance were transferred to the decision of civil judges.<sup>q</sup> By a third statute, the exercise of religious worship according to the rites of the Romish church, was prohibited. The manner in which the parliament enforced the observation of this law discovers the zeal of that assembly; the first transgression subjected the offender to the forfeiture of his goods, and to a corporal punishment, at the discretion of the judge; banishment was the penalty of the second violation of the law; and a third act of disobedience was declared to be capital.<sup>r</sup> Such strangers were men at that time to the spirit of toleration, and to the laws of humanity; and with such indecent haste did the very persons who had just escaped the rigour of ecclesiastical tyranny, proceed to imitate those examples of severity of which they themselves had so justly complained.

<sup>o</sup> Knox, 253.<sup>p</sup> Ibid, 253.<sup>q</sup> Keith, 132.<sup>r</sup> Knox, 254.

With re-  
gard to the  
revenues of  
the church.

The vigorous zeal of the parliament overturned in a few days the ancient system of religion, which had been established so many ages. In reforming the doctrine and discipline of the church, the nobles kept pace with the ardour and expectations even of Knox himself. But their proceedings with respect to these, were not more rapid and impetuous, than they were slow and dilatory when they entered on the consideration of ecclesiastical revenues. Among the lay members, some were already enriched with the spoils of the church, and others devoured in expectation the wealthy benefices which still remained untouched. The alteration in religion had afforded many of the old ecclesiastics themselves an opportunity of gratifying their avarice or ambition. The demolition of the monasteries having set the monks at liberty from their confinement, they instantly dispersed all over the kingdom, and commonly betook themselves to some secular employment. The abbot, if he had been so fortunate as to embrace the principles of the reformation from conviction, or so cunning as to espouse them out of policy, seized the whole revenues of the fraternity; and, except what he allowed for the subsistence of a few superannuated monks,<sup>s</sup> applied them entirely to his own use. The proposal made by the reformed teachers, for applying these revenues towards the maintenance of ministers, the education of youth, and the support of the poor, was equally dreaded by all these orders of men. They opposed it with the utmost warmth, and by their numbers and authority easily prevailed on the parliament to give no ear to such a disagreeable demand.<sup>t</sup> Zealous as

<sup>s</sup> Keith, 496. App. 190, 191.

<sup>t</sup> *Randolph to Cecil, 10th August, 1560. From Edinburgh.*

An original  
in the Pa-  
per Office.

Since the 29th of July, at what time I wrote last to your Honour, I have heard of nothing worth the reporting. At this present it may please you to know, that the most part of the nobles are here arrived, as your Honour shall receive their names in writing. The Earl of Huntly excuseth himself by an infirmity in his leg. His lieutenant for this time is the Lord of Lidington, chosen speaker of the parliament, or harangue-maker as these men term it. The first day of their sitting in parliament will be on Thursday next. Hitherto as many as have been present of the lords have communed and devised of certain heads then to be propounded, as, who shall be sent into France, who into England. It is much easier to find them than the other. It seemeth almost to be resolved upon, that for England the Master of Maxwell and Laird of Lidington. For France, Pittarow and the Justice-clerk. Also they have consulted whom they think meetest to name for the XXIV. of

the first reformers were, and animated with a spirit superior to the low considerations of interest, they beheld these early symptoms of selfishness and avarice among their ad-

the which the XII. counsellors must be chosen. They intend very shortly to send away Dingwall the herald into France, with the names of those they shall chuse ; and also to require the King and Queen's consent unto this parliament. They have devised how to have the contract with England confirmed by authority of parliament ; how also to have the articles of the agreement between them and their King and Queen ratified. These things yet have only been had in communication. For the confirmation of the contract with England I have no doubt ; for that I hear many men very well like the same, as the Earl of Athol, the Earl of Sutherland, the L. Glamis, who dined yesterday with the L. James. The Lord James requested me this present day to bring the contract unto him. I intend, also, this day, to speak unto the L. Gray, in our L. Gray's name, for that he promised in my hearing to subscribe, and then presently would have done it, if the contract could have been had. For the more assurance against all inconvenients, I would, besides that, that I trust it shall be ratified in parliament, that every nobleman in Scotland had put his hand and set his seal, which may always remain as a notable monument, tho' the act of parliament be hereafter disannulled. If it might, therefore, stand with your advice, that the lords might be written unto, now that they are here present, to that effect, or that I might receive from your Hon<sup>r</sup>. some earnest charge to travel herein, I doubt not but it would serve to good purpose. If it might be also known with what substantial and effectious words or charge you desire to have it confirmed, I think no great difficulty would be made. The Earl Marshal has often been moved to subscribe, he useth mo delays than men judged he would. His son told him yesterday, that he would speak with me at leisure, so did also Drumlanrick ; I know not to what purpose : I have caused L. James to be the earnestest with the L. Marshal, for his authority's sake, when of late it was in consultation by what means it might be wrought, that the amity between these two realms might be perpetual ; and among diverse men's opinion, one said that he knew of no other, but by making them both one, and that in hope of that no things were done, than would otherwise have ever been granted. The Earl of Argyll advised him earnestly to stick unto that that he had promised, that it should pass his power and all the crafty knaves of his counsel, (I am bold to use unto your H. his own words,) to break so godly a purpose. This talk liked well the assisters, howsoever it pleased him to whom it was spoken unto. The barons, who in time past have been of the parliament, had yesterday a convention among themselves in the church, in very honest and quiet sort ; they thought it good to require to be restored unto their ancient liberty, to have voice in parliament. They presented that day a bill unto the lords to that effect, a copy whereof shall be sent as soon as it can be had. It was answered unto gently, and taken in good part. It was referred unto the Lords of the Articles, when they are chosen, to resolve thereupon.—*Here follows a long paragraph concerning the fortifications of Dunbar, &c.*—This present morning, viz. the 9th, I understood, that the lords intended to be at the parliament, which caused me somewhat to stay my letter, to see what I could hear or learn worth the reporting unto your Hon<sup>r</sup>. The lords, at ten of the clock, assembled themselves at the palace, where the Duke lieth ; from whence they departed towards the Tolbooth, as they were in dignity. Each one being set in his seat, in such order as your H. shall receive them in this scroll. The crown, the mace, the sword, were laid in the Queen's seat. Silence being commanded, the L. of Lidington began his oration. He excused his insufficiency to occupy that place. He made a brief discourse of things past, and of what necessity men were forced unto for the defence of their country, what remedy and support it pleased God to send them in the time of their necessity, how much they were bound heartily to acknowledge it, and to require it. He took away the persuasion that was in many men's minds that lay back, that misdeemed other things to be meant than was attempted. He advised all estates to lay all particulars apart, and to bend themselves wholly to the true service of God and of their country. He willed them to remember in what state it had been of long time for lack of government, and exercise of justice. In the end, he exhorted them to mutual amity and hearty friendship, and to live with one another as members all of one body.—He prayed God long to maintain this peace and amity with all princes, especially betwixt the realms of England and Scotland, in the fear of God, and so ended. The clerk of register immediately stood up, and asked them to what matter they would proceed : it was thought necessary, that the articles of the peace should be confirmed with the common consent, for that it was thought necessary to send them away with speed into

herents with amazement and sorrow; and we find Knox expressing the utmost sensibility of that contempt with which they were treated by many from whom he expected a more

France, and to receive the ratification of them as soon as might be. The articles being read, were immediately agreed unto: a day was appointed to have certain of the nobles subscribe unto them, and to put to their seals, to be sent away by a herald, who shall also bring the ratification again with him. The barons, of whom I have above written, required an answer to their request; somewhat was said, unto the contrary. The barons alleged for them custom and authority. It was in the end resolved, that there should be chosen six to join with the Lords of the Articles, and that if they, after good advisement, should find it right and necessary for the commonwealth, it should be ratified at this parliament for a perpetual law. The lords proceeded immediately hereupon to the chusing of the Lords of the Articles. The order is, that the lords spiritual chuse the temporal, and the temporal the spiritual, and the burgesses their own. There were chosen as in this other paper I have written. This being done, the lords departed and accompanied the Duke, all as far as the Bow, (which is the gate going out of the high street,) and many down into the palace where he lieth. The town all in armour, the trumpets sounding, and other music such as they have. Thus much I report unto your Honour of that I did both hear and see. Other solemnities have not been used, saving in times long past the lords have had parliament robes, which are now with them wholly out of use.

The names of as many Earls and Lords spiritual and temporal as are assembled at this parliament.

*The Duke of Chatelherault.*

<i>Earls.</i>	<i>Lords.</i>	<i>Lords spiritual.</i>
Arran.	Erskine.	St. Andrews.
Argyll.	Ruthven.	Dunkell.
Athole.	Lindsay.	Athens.
Crawford.	Somerville.	The Bishop of the Isles.
Cassils.	Cathcart.	Abbots and Priors, I know not how many.
Marshall.	Hume.	
Morton.	Livingston.	
Glencairn.	Innermeth.	
Sutherland.	Boyd.	
Caithness.	Ogilvy.	
Roths.	Fleming.	
Monteith.	Glamis.	
	Gray.	
	Ochiltree.	
	Gordon.	

*The LORDS of the ARTICLES.*

<i>Spiritual.</i>	<i>Temporal.</i>	<i>Barons elected to be of the Articles.</i>
Athens.	The Duke.	Maxwell.
Isles.	Argyll.	Tillibardine.
Lord James.	Marshall.	Cunninghamhead.
Arbroath.	Athole.	Lochenvar.
Newbottle.	Morton.	Pittarow.
Lindoris.	Glencairn.	Lundy.
Cowpar.	Ruthven.	Ten Provosts of the chief towns, which also are of the Articles.
Kinross.	Erskine.	
Kilwinning.	Boyd.	
	Lindsay.	

So that with the Subprior of St. Andrews, the whole is 36.

It were too long for me to rehearse particularly the disposition, and chiefly the affections of these men, that are at this time chosen Lords of the Articles. May it satisfy your Hon<sup>r</sup>. for this time to know, that, by the common opinion of men, there was not a substantialler or more sufficient number of all sorts of men chosen in Scotland these many years, nor of whom men had greater hope of good to ensue. This present morning, viz. the 10th, the L. of Lidington made me privy unto your letter; he intendeth, as much as may be, to follow your advice. Some hard points there are. He

generous concern for the success of religion and the honour of its ministers."

The validity of this parliament called in question. A difficulty hath been started with regard to the acts of this parliament concerning religion. This difficulty, which at such a distance of time is of no importance, was founded on the words of the treaty of Edinburgh. By that, the parliament were permitted to take into consideration the state of religion, and to signify their sentiments of it to the king and the queen. But, instead of presenting their desires to their sovereigns in the humble form of a supplication or address, the parliament converted them into so many acts; which, although they never received the royal assent, obtained, all over the kingdom, the weight and authority of laws. In compliance with their injunctions, the established system of religion was every where overthrown, and that recommended by the

himself is determined not to go into France. He allegeth many reasons, but speaketh least of that, that moveth him most, which is the example of the last, that went on a more grateful message than he shall carry, and stood on other terms with their Prince than he doth, and yet your Honour knoweth what the whole world judgeth.

*Petition of the Lesser Barons to the Parliament held August, 1560.*

Enclosed in Randolph's letter to Cecil, 15th August, 1560. My Lords, unto your Lordships humbly means and shows, we the Barons and Freeholders of this realm, your brethren in Christ, That whereas the causes of true religion, and common well of this realm, are, in this present parliament, to be treated, ordered, and established, to the glory of God, and maintenance of the commonwealth; and we being greatest number in proportion, where the said causes concern, and has been, and yet are ready to bear the greatest part of the charge thereuntil, as well in peace as in war, both with our bodies and with our goods; and seeing there is no place where we may do better service now than in general councils and parliaments, in giving our best advice and reason, vote and counsell for the furtherance thereof, for the maintenance of virtue and punishment of vice, as use and custom had been of old by ancient acts of parliament observed in this realm; and whereby we understand that we ought to be heard to reason and vote in all causes concerning the commonwealth, as well in councils as in parliament, otherwise we think that whatsoever ordinances and statutes be made concerning us and our estate, we not being required and suffered to reason and vote at the making thereof, that the same should not oblige us to stand thereto. Therefore it will please your Lordships to take consideration thereof, and of the charge born, and to be born by us, since we are willing to serve truly to the common well of this realm, after our estate, that ye will, in this present parliament, and all counsells, where the common well of the realm is to be treated, take our advice, counsell, and vote, so that, without the same, your Lordships would suffer nothing to be passed and concluded in parliament or councils aforesaid; and that all acts of parliament made, in times past, concerning us for our place and estate, and in our favour, be at this present parliament confirmed, approved, and ratified, and act of parliament made thereupon. And your Lordships' answer humbly beseeches.

*Of the success of this petition, the following account is given by Randolph; Lett. to Cecil, 19 Aug. 1560.*—The matters concluded and past by common consent on Saturday last, in such solemn sort as the first day that they assembled, are these: First, that the barons, according to an old act of parliament, made in the time of James I., in the year of God 1427, shall have free voice in parliament; this act passed without any contradiction.

reformers introduced in its place. The partiality and zeal of the people overlooked or supplied any defect in the form of these acts of parliament, and rendered the observance of them more universal than ever had been yielded to the statutes of the most regular or constitutional assembly. By those proceedings, it must, however, be confessed, that the parliament, or rather the nation, violated the last article of the treaty of Edinburgh, and even exceeded the powers which belong to subjects. But when once men have been accustomed to break through the common boundaries of subjection, and their minds are inflamed with the passions which civil war inspires, it is mere pedantry or ignorance to measure their conduct by those rules, which can be applied only where government is in a state of order and tranquillity. A nation, when obliged to employ such extraordinary efforts in defence of its liberties, avails itself of every thing which can promote this great end; and the necessity of the case, as well as the importance of the object, justify any departure from the common and established rules of the constitution.

Ambassadors sent by the parliament to France, In consequence of the treaty of Edinburgh, as well as by the ordinary forms of business, it became necessary to lay the proceedings of parliament before the king and queen. For this purpose, Sir James Sandilands of Calder lord St. John was appointed to repair to the court of France. After holding a course so irregular, the leaders of the Congregation had no reason to flatter themselves that Francis and Mary would ever approve their conduct, or confirm it by their royal assent. The reception of their ambassador was no other than they might have expected. He was treated by the king and queen with the utmost coldness, and dismissed without obtaining the ratification of the parliament's proceedings. From the princes of Lorrain, and their partisans, he endured all the scorn and insult which it was natural for them to pour upon the party he represented.\*

\* Knox, 255. Buch. 327. State Papers published by lord Hardwicke, vol. i. p. 125, &c.

and to Elizabeth. Though the earls of Morton, Glencairn, and Maitland of Lethington, the ambassadors of the parliament, to Elizabeth their protectress, met with a very different reception; they were not more successful in one part of the negotiation intrusted to their care. The Scots, sensible of the security which they derived from their union with England, were desirous of rendering it indissoluble. With this view they empowered these eminent leaders of their party to testify to Elizabeth their gratitude for that seasonable and effectual aid which she had afforded them, and at the same time to beseech her to render the friendship between the nations perpetual, by condescending to marry the earl of Arran, who, though a subject, was nearly allied to the royal family of Scotland, and, after Mary, the undoubted heir to the crown.

To the former part of this commission Elizabeth listened with the utmost satisfaction, and encouraged the Scots, in any future exigency, to hope for the continuance of her good offices; with regard to the latter, she discovered those sentiments to which she adhered throughout her whole reign. Averse from marriage, as some maintain through choice, but more probably out of policy, that ambitious princess would never admit any partner to the throne; but delighted with the entire and uncontrolled exercise of power, she sacrificed to the enjoyment of that, the hopes of transmitting her crown to her own posterity. The marriage with the earl of Arran could not be attended with any such extraordinary advantage, as to shake this resolution; she declined it therefore, but with many expressions of good-will towards the Scottish nation, and of respect for Arran himself.<sup>7</sup>

The death of Francis II. Towards the conclusion of this year, distinguished by so many remarkable events, there happened one of great importance. On the 4th of December died Francis II. a prince of a feeble constitution, and of a mean understanding. As he did not leave any issue by the queen, no incident could have been more fortunate to



those, who, during the late commotions in Scotland, had taken part with the Congregation. Mary, by the charms of her beauty, had acquired an entire ascendant over her husband; and as she transferred all her influence to her uncles the princes of Lorrain, Francis followed them implicitly in whatever track they were pleased to lead him. The power of France, under such direction, alarmed the Scottish malecontents with apprehensions of danger, no less formidable than well-founded. The intestine disorders which raged in France, and the seasonable interposition of England in behalf of the Congregation, had hitherto prevented the princes of Lorrain from carrying their designs upon Scotland into execution. But, under their vigorous and decisive administration, it was impossible that the commotions in France could be of long continuance, and many things might fall in to divert Elizabeth's attention, for the future, from the affairs of Scotland. In either of these events, the Scots would stand exposed to all the vengeance which the resentment of the French court could inflict. The blow, however long suspended, was unavoidable, and must fall at last with redoubled weight. From this prospect and expectation of danger, the Scots were delivered by the death of Francis; the ancient confederacy of the two kingdoms had already been broken, and by this event the chief bond of union which remained was dissolved. Catherine of Medicis, who, during the minority of Charles IX. her second son, engrossed the entire direction of the French councils, was far from any thoughts of vindicating the Scottish queen's authority. Catherine and Mary had been rivals in power during the reign of Francis II. and had contended for the government of that weak and inexperienced prince; but as the charms of the wife easily triumphed over the authority of the mother, Catherine could never forgive such a disappointment in her favourite passion, and beheld now, with secret pleasure, the difficult and perplexing scene on which her daughter-in-law was about to enter. Mary, overwhelmed with all the sorrow which so sad a reverse of fortune could occasion; slighted by the

queen-mother;<sup>2</sup> and forsaken by the tribe of courtiers, who appear only in the sunshine of prosperity, retired to Rheims, and there in solitude indulged her grief, or hid her indignation. Even the princes of Lorraine were obliged to contract their views; to turn them from foreign to domestic objects; and instead of forming vast projects with regard to Britain, they found it necessary to think of acquiring and establishing an interest with the new administration.

It is impossible to describe the emotions of joy which, on all these accounts, the death of the French monarch excited among the Scots. They regarded it as the only event which could give firmness and stability to that system of religion and government which was now introduced; and it is no wonder contemporary historians should ascribe it to the immediate care of Providence, which, by unforeseen expedients, can secure the peace and happiness of kingdoms, in those situations where human prudence and invention would utterly despair.<sup>3</sup>

Establishment of presbyterian church government. About this time the Protestant church of Scotland began to assume a regular form. Its principles had obtained the sanction of public authority, and some fixed external policy became necessary for the government and preservation of the infant society. The model introduced by the reformers differed extremely from that which had been long established. The motives which induced them to depart so far from the ancient system deserve to be explained.

The licentious lives of the clergy, as has been already observed, seem to have been among the first things that excited any suspicion concerning the truth of the doctrines which they taught, and roused that spirit of inquiry which proved fatal to the Popish system. As this disgust at the vices of ecclesiastics was soon transferred to their persons, and shifting from them, by no violent transition, settled at last upon the offices which they enjoyed; the effects of the reformation would naturally have extended not only to the

<sup>2</sup> Henault. 340. Casteln. 454.

<sup>3</sup> Knox, 259.

doctrine, but to the form of government in the Popish church; and the same spirit which abolished the former, would have overturned the latter. But in the arrangement which took place in the different kingdoms and states of Europe, in consequence of the reformation, we may observe something similar to what happened upon the first establishment of Christianity in the Roman empire. In both periods, the form of ecclesiastical policy was modelled, in some measure, upon that of the civil government. When the Christian church was patronised and established by the state, the jurisdiction of the various orders of the ecclesiastics, distinguished by the names of patriarchs, archbishops, and bishops, was made to correspond with the various divisions of the empire; and the ecclesiastic of chief eminence in each of these, possessed authority, more or less extensive, in proportion to that of the civil magistrate who presided over the same district. When the reformation took place, the episcopal form of government, with its various ranks and degrees of subordination, appearing to be most consistent with the genius of monarchy, it was continued, with a few limitations, in several provinces of Germany, in England, and in the northern kingdoms. But in Switzerland and some parts of the Low Countries, where the popular form of government allowed more full scope to the innovating genius of the reformation, all pre-eminence of order in the church was destroyed, and an equality established more suitable to the spirit of republican policy. As the model of episcopal government was copied from that of the Christian church as established in the Roman empire, the situation of the primitive church prior to its establishment by civil authority, seems to have suggested the idea, and furnished the model of the latter system, which has since been denominated *Presbyterian*. The first Christians, oppressed by continual persecutions, and obliged to hold their religious assemblies by stealth and in corners, were contented with a form of government extremely simple. The influence of religion concurred with the sense of danger, in extinguishing among them the

spirit of ambition, and in preserving a parity of rank, the effect of their sufferings, and the cause of many of their virtues. Calvin, whose decisions were received among many Protestants of that age with incredible submission, was the patron and restorer of this scheme of ecclesiastical policy. The church of Geneva formed under his eye and by his direction, was deemed the most perfect model of this government; and Knox, who, during his residence in that city, had studied and admired it, warmly recommended it to the imitation of his countrymen.

Among the Scottish nobility, some hated the persons, and others coveted the wealth, of the dignified clergy. By abolishing that order of men, the former indulged their resentment, and the latter hoped to gratify their avarice. The people inflamed with the most violent aversion to Popery, and approving of every scheme that departed farthest from the practice of the Romish church, were delighted with a system so admirably suited to their predominant passion: while the friends of civil liberty beheld with pleasure the Protestant clergy pulling down with their own hands that fabric of ecclesiastical power which their predecessors had reared with so much art and industry; and flattered themselves that, by lending their aid to strip churchmen of their dignity and wealth, they might entirely deliver the nation from their exorbitant and oppressive jurisdiction. The new mode of government easily made its way among men thus prepared, by their various interests and passions, for its reception.

But, on the first introduction of his system, Knox did not deem it expedient to depart altogether from the ancient form.<sup>b</sup> Instead of bishops, he proposed to establish ten or twelve superintendants in different parts of the kingdom. These, as the name implies, were empowered to inspect the life and doctrine of the other clergy. They presided in the inferior judicatories of the church, and performed several other parts of the episcopal function. Their jurisdiction, however, extended to sacred things only; they claimed no

<sup>b</sup> Spots. 158.

seat in parliament, and pretended no right to the dignity or revenues of the former bishops.

The number of inferior clergy, to whom the care of parochial duty could be committed, was still extremely small; they had embraced the principles of the reformation at different times, and from various motives; during the public commotions they were scattered, merely by chance, over the different provinces of the kingdom, and in a few places only were formed into regular classes or societies. The

Dec. 20. first general assembly of the church, which was held this year, bears all the marks of an infant and unformed society. The members were but few in number, and of no considerable rank; no uniform or consistent rule seems to have been observed in electing them. From a great part of the kingdom no representatives appeared. In the name of some entire counties, but one person was present; while in other places a single town or church sent several members. A convention, so feeble and irregular, could not possess extensive authority; and, conscious of their own weakness, the members put an end to their debates, without venturing upon any decision of much importance.\*

In order to give greater strength and consistence to the presbyterian plan, Knox, with the assistance of his brethren, composed the first book of discipline, which contains the model or platform of the intended policy.<sup>d</sup> They presented it to a convention of estates, which was held in the

Jan. 15. beginning of this year. Whatever regulations were proposed with regard to ecclesiastical discipline and jurisdiction, would have easily obtained the sanction of that assembly; but a design to recover the patrimony of the church, which is there insinuated, met with a very different reception.

In vain did the clergy display the advantages which would accrue to the public, by a proper application of ecclesiastical revenues. In vain did they propose, by an impartial distribution of this fund, to promote true religion, to encourage learning, and to support the poor. In vain

\* Keith, 498.

<sup>d</sup> Spots. 152.

did they even intermingle threatenings of the divine displeasure against the unjust detainers of what was appropriated to a sacred use. The nobles held fast the prey which they had seized; and, bestowing upon the proposal the name of a *devout imagination*, they affected to consider it as a project altogether visionary, and treated it with the utmost scorn.<sup>e</sup>

The queen This convention appointed the prior of St. Andrew's invited to return into Scotland. to repair to the queen, and to invite her to return into her native country, and to assume the reins of government, which had been too long committed to other hands. Though some of her subjects dreaded her return, and others foresaw dangerous consequences with which it might be attended,<sup>f</sup> the bulk of them desired it with so much

<sup>e</sup> Knox, 256.

<sup>f</sup> *A Letter of Thomas Randolph, the English Resident, to the Right Worshipful Sir William Cecil, Knt. Principal Secretary to the Queen's Majesty.*

9th Aug. I have received your Honour's letters of the first of this month, written at  
1561. Cott. Osyes in Essex; and also a letter unto the Lord James, from his kinsman  
Lib. B. 10. St. Come out of France; in this they agree both that the Queen of Scot-  
fo. 32. land is nothing changed of her purpose in home coming. I assure your  
Honour that will be a stout adventure for a sick crased woman, that may  
be doubted as well what may happen unto her upon the seas, as also how heartily she  
may be received when she cometh to land of a great number, who are utterly persuaded  
that she intendeth their utter ruin, come when she will; the preparance is very small  
whensoever that she arrive, scarcely any man can be persuaded that she hath any such  
thought in her head. I have shewn your Honour's letter unto the Lord James, Lord  
Morton, Lord Lidington; they wish, as your Honour doth, that she might be stayed  
yet for a space, and if it were not for their obedience sake, some of them care not tho'  
they never saw her face. They travel what they can to prevent the wicked devices of  
these mischievous purposes of her ministers, but I fear that that will always be found  
that filij hujus seculi, they do what they can to stand with the religion, and to maintain  
amity with their neighbours; they have also need to look unto themselves, for their  
hazard is great, and that they see there is no remedy nor safety for themselves, but to  
repose themselves upon the Queen's Majesty, our sovereign's favour and support.  
Friends abroad they have none, nor many in whom they may trust at home. They are  
in mind shortly to try what they may be assured at of the Queen's Majesty, and what  
they may assuredly perform of that they intend to offer for their parties. This the  
Queen of Scotland above all other things doubteth; this she seeketh by all means to  
prevent; and hath caused St. Come, in her name, earnestly to write to charge him  
that no such things be attempted before her coming home; for that it is said, that they  
too already arrived here out of England for the purpose, what semblance somever the  
noblemen do make, that they are grieved with their Queen's refusal, that cometh far  
from their hearts. They intend to expostulate with me hereupon. I have my answer  
ready enough for them. If she thrust Englishmen all out of this country, I doubt not  
but there will be some of her own that will bear us some kindness. Of me she shall  
be quit, as soon as it pleaseth the Queen's Majesty, my mistress, no longer to use my  
service in this place. By such talk, as I have of late had with the Lord James and  
Lord of Lidington, I perceive that they are of mind that immediately of the next con-  
vention, I shall repair towards you with their determinations, and resolutions, in all  
purposes, wherein your Honour's advice is earnestly required, and shortly looked for.  
Whatsomever I desire myself, I know my will ought to be subject unto the Queen my  
sovereign's pleasure, but to content myself, would God I were so happy as to serve  
Her Majesty in as mean a state as ever poor gentleman did, to be quit of this place;

ardour, that the invitation was given with the greatest appearance of unanimity. But the zeal of the Roman Catholics got the start of the prior in paying court to Mary; and Lesly, afterward bishop of Ross, who was commissioned by them, arrived before him at the place of her residence.<sup>s</sup> Lesly endeavoured to infuse into the queen's mind, suspicions of her Protestant subjects, and to persuade her to throw herself entirely into the arms of those who had adhered to her own religion. For this purpose, he insisted that she should land at Aberdeen; and, as the Protestant doctrines had made no considerable progress in that part of the kingdom, he gave her assurance of being joined in a few days by twenty thousand men; and flattered her that, with such an army, encouraged by her presence and authority, she might easily overturn the reformed church, before it was firmly settled on its foundations.

not that I do in my heart wax weary of her Majesty's service, but because my time and years require some place of more repose and quietness than I find in this country. I doubt also my insufficiency when other troubles in this country arise, or ought shall be required of me to the advancement of Her Majesty's service, that either my will is not able to compass, or my credit sufficient to work to that effect, as perchance shall be looked for at my hands. As your Honour hath been a means of my continuance in this room, so I trust that I shall find that continual favour at your hands, that so soon as it shall stand with the Queen's Majesty's pleasure, I may give this place unto some far worthier than I am myself, and in the mean season have my course directed by your good advice, how I may by my contrivance do some such service as may be agreeable to Her Majesty's will and pleasure.

These few words I am bold to write unto your Honour of myself. For the rest, where that is wished that the lords will stoutly continue yet for one month, I assure your Honour that there is yet nothing omitted of their old and accustomed manner of doing, and seeing that they have brought that unto this point, and should now prevail, they were unworthy of their lives:

I find not that they are purposed so to leave the matter. I doubt more her money than I do her fair words; and yet can I not conceive what great things can be wrought with forty thousand crowns, and treasure of her own here I know there is no sure or ready means to get it. The Lord of Lidington leaveth nothing at this time unwritten, that he thinketh may be able to satisfye your desire, in knowledge of the present state of things here. Whatsoever cometh of that, he findeth it ever best that she come not; but if she do come, to let her know, at the first, what she shall find, which is due obedience, and willing service, if she embrace Christ, and desire to live in peace with her neighbours. By such letters as you have last received, your Honour somewhat understandeth of Mr. Knox himself, and also of others, what is determined; he himself to abide the uttermost, and other never to leave him until God have taken his life, and thus together with what comfort soever it will please you to give him by your letters, that the Queen's Majesty doth not utterly condemn him, or at the least in that point that he is so sore charged with by his own Queen, that Her Majesty will not allow her doing. I doubt not but it will be a great comfort unto him, and will content many others: his daily prayer is for the maintenance of unity with England, and that God will never suffer men to be so ungrate, as by any persuasion to run headlong unto the destruction of them that have saved their lives, and restored their country to liberty. I leave farther, at this time, to trouble your Honour, desiring God to send such an amity between these two realms that God may be glorified to them of this world.—At Edenburgh the 9th of August, 1561.

<sup>s</sup> Lesly.

But, at this juncture, the princes of Lorraine were not disposed to listen to this extravagant and dangerous proposal. Intent on defending themselves against Catherine of Medicis, whose insidious policy was employed in undermining their exorbitant power, they had no leisure to attend to the affairs of Scotland, and wished their niece to take possession of her kingdom with as little disturbance as possible. The French officers too, who had served in Scotland, dissuaded Mary from all violent measures; and by representing the power and numbers of the Protestants to be irresistible, determined her to court them by every art; and rather to employ the leading men of that party as ministers, than to provoke them, by a fruitless opposition, to become her enemies.<sup>h</sup> Hence proceeded the confidence and affection with which the prior of St. Andrew's was received by the queen. His representation of the state of the kingdom gained great credit; and Lesly beheld with regret the new channel in which court favour was likely to run.

Another convention of estates was held in May. The arrival of an ambassador from France seems to have been the occasion of this meeting. He was instructed to solicit the Scots to renew their ancient alliance with France, to break their new confederacy with England, and restore the Popish ecclesiastics to the possession of their revenues and the exercise of their functions. It is no easy matter to form any conjecture of the intentions of the French court in making these extraordinary and ill-timed propositions. They were rejected with that scorn which might well have been expected from the temper of the nation.<sup>i</sup>

In this convention, the Protestant clergy did not obtain a more favourable audience than formerly, and their prospect of recovering the patrimony of the church still remained as distant and uncertain as ever. But with regard to another point, they found the zeal of the nobles in no degree abated. The book of discipline seemed to require that the monuments of Popery which still remained in the kingdom, should be demolished;<sup>k</sup> and though neither the same

<sup>h</sup> Melv. 61.<sup>i</sup> Knox, 269. 273.<sup>k</sup> Spots. 153.



pretence of policy, nor the same ungovernable rage of the people, remained to justify or excuse this barbarous havoc, the convention, considering every religious fabric as a relic of idolatry, passed sentence upon them by an act in form; and persons the most remarkable for their activity of zeal were appointed to put it into execution. Abbeyes, cathedrals, churches, libraries, records, and even the sepulchres of the dead, perished in one common ruin. The storm of popular insurrection, though impetuous and irresistible, had extended only to a few counties, and soon spent its rage; but now a deliberate and universal rapine completed the devastation of every thing venerable and magnificent which had escaped its violence.<sup>1</sup>

Mary begins to prepare for it. In the mean time, Mary was in no haste to return into Scotland. Accustomed to the elegance, splendour, and gaiety of a polite court, she still fondly lingered in France, the scene of all these enjoyments, and contemplated with horror the barbarism of her own country, and the turbulence of her subjects, which presented her with a very different face of things. The impatience, however, of her people, the persuasions of her uncles, but, above all, the studied and mortifying neglect with which she was treated by the queen-mother, forced her to think of beginning this disagreeable voyage.<sup>m</sup> But while she was preparing for it, there were sown between her and Elizabeth, the seeds of that personal jealousy and discord which imbittered the life, and shortened the days of the Scottish queen.

Origin of the discord between her and Elizabeth. The ratification of the late treaty of Edinburgh, was the immediate occasion of this fatal animosity; the true cause of it lay much deeper. Almost every article in that treaty had been executed by both parties with a scrupulous exactness. The fortifications of Leith were demolished, and the armies of France and England withdrawn within the appointed time. The grievances of the Scottish malecontents were redressed, and they had obtained whatever they could demand for their future security. With regard to all these, Mary could have little reason to decline, or Elizabeth to urge, the ratification of the treaty.

<sup>1</sup> Spots. 174.<sup>m</sup> Brantome, Jebb, vol. ii. 482.

The sixth article remained the only source of contest and difficulty. No minister ever entered more deeply into the schemes of his sovereign, or pursued them with more dexterity and success than Cecil. In the conduct of the negotiation at Edinburgh, the sound understanding of this able politician had proved greatly an overmatch for Montluc's refinements in intrigue, and had artfully induced the French ambassadors, not only to acknowledge that the crowns of England and Ireland did of right belong to Elizabeth alone, but also to promise that in all times to come Mary should abstain from using the title, or bearing the arms of those kingdoms.

The ratification of this article would have been of the most fatal consequence to Mary. The crown of England was an object worthy of her ambition. Her pretensions to it gave her great dignity and importance in the eyes of all Europe. By many, her title was esteemed preferable to that of Elizabeth. Among the English themselves, the Roman Catholics, who formed at that time a numerous and active party, openly espoused this opinion; and even the Protestants, who supported Elizabeth's throne, could not deny the queen of Scots to be her immediate heir. A proper opportunity to avail herself of all these advantages could not, in the course of things, be far distant, and many incidents might fall in, to bring this opportunity nearer than was expected. In these circumstances, Mary by ratifying the article in dispute, lost the rank she had hitherto held among neighbouring princes; the zeal of her adherents must have gradually cooled; and she might have renounced from that moment, all hopes of ever wearing the English crown.<sup>a</sup>

None of these beneficial consequences escaped the penetrating eye of Elizabeth, who, for this reason, had recourse to every thing by which she could hope either to sooth or frighten the Scottish queen into a compliance with her demands; and if that princess had been so unadvised as to ratify the rash concessions of her ambassadors, Elizabeth, by that deed, would have acquired an advantage,

<sup>a</sup> Haynes, 573, &c.

which, under her management, must have turned to great account. By such a renunciation, the question with regard to the right of succession would have been left altogether open and undecided; and, by means of that, Elizabeth might either have kept her rival in perpetual anxiety and dependance, or, by the authority of her parliament, she might have broken in upon the order of lineal succession, and transferred the crown to some other descendant of the royal blood. The former conduct she observed towards James VI. whom, during his whole reign, she held in perpetual fear and subjection. The latter and more rigorous proceeding would, in all probability, had been employed against Mary, whom, for many reasons, she both envied and hated.

Nor was this step beyond her power, unprecedented in the history, or inconsistent with the constitution of England. Though succession by hereditary right be an idea so natural and so popular, that it has been established in almost every civilized nation, yet England affords many memorable instances of deviations from that rule. The crown of that kingdom having once been seized by the hand of a conqueror, this invited the bold and enterprising in every age to imitate such an illustrious example of fortunate ambition. From the time of William the Norman, the regular course of descent had seldom continued through three successive reigns. Those princes, whose intrigues or valour opened to them a way to the throne, called in the authority of the great council of the nation to confirm their dubious titles. Hence parliamentary and hereditary right became in England of equal consideration. That great assembly claimed and actually possessed a power of altering the order of regal succession; and even so late as Henry VIII. an act of parliament had authorized that capricious monarch to settle the order of succession at his pleasure. The English, jealous of their religious liberty, and averse from the dominion of strangers, would have eagerly adopted the passions of their sovereign, and might have been easily induced to exclude the Scottish line from the right of suc-

ceeding to the crown. These seem to have been the views of both queens, and these were the difficulties which retarded the ratification of the treaty of Edinburgh.

But, if the sources of their discord were to be traced no higher than this treaty, an inconsiderable alteration in the words of it might have brought the present question to an amicable issue. The indefinite and ambiguous expression which Cecil had inserted into the treaty, might have been changed into one more limited, but more precise; and Mary, instead of promising to abstain from bearing the title of queen of England in all times to come, might have engaged not to assume that title during the life of Elizabeth, or the lives of her lawful posterity.<sup>o</sup>

Such an amendment, however, did not suit the views of either queen. Though Mary had been obliged to suspend for some time the prosecution of her title to the English crown, she had not however relinquished it. She determined to revive her claim on the first prospect of success, and was unwilling to bind herself, by a positive engagement, not to take advantage of any such fortunate occurrence. Nor would the alteration have been more acceptable to Elizabeth, who, by agreeing to it, would have tacitly recognised the right of her rival to ascend the throne after her decease. But neither the Scottish nor English queen durst avow the secret sentiments of their hearts. Any open discovery of an inclination to disturb the tranquillity of England, or to wrest the sceptre out of Elizabeth's hands, might have proved fatal to Mary's pretensions.

<sup>o</sup> This expedient for terminating the difference between Elizabeth and Mary was so obvious, that it could not fail of presenting itself to the view of the English ministers.

"There hath been a matter secretly thought of (says Cecil in a letter to Throckmorton, July 14, 1561), which I dare communicate to you, although I mean never to be author thereof; and that is, if an accord might be made betwixt our mistress and the Scottish queen, that this should by parliament in Scotland, &c. surrender unto the queen's majesty all matters of claim, and unto the heirs of her body; and in consideration thereof, the Scottish queen's interest should be acknowledged in default of heirs of the body of the queen's majesty. Well, God send our mistress a husband, and by time a son, that we may hope our posterity shall have a masculine succession. This matter is too big for weak folks, and too deep for simple. The queen's majesty knoweth it." *Hardw. State Pap. i. 174.* But with regard to every point relating to the succession, Elizabeth was so jealous and so apt to take offence, that her most confidential ministers durst not urge her to advance one step farther than she herself chose to go. Cecil mentioning some scheme about the succession, if the queen should not marry or leave issue, adds, with his usual caution: "This song hath many parts; but, for my part, I have no skill but in plain song." *Ibid. 178.*

Any suspicion of a design to alter the order of succession, and to set aside the claim of the Scottish queen, would have exposed Elizabeth to much and deserved censure, and have raised up against her many and dangerous enemies. These, however carefully concealed, or artfully disguised, were, in all probability, the real motives which determined the one queen to solicit, and the other to refuse, the ratification of the treaty in its original form ; while neither had recourse to that explication of it, which, to a heart unwarped by political interest, and sincerely desirous of union and concord, would have appeared so obvious and natural.

But, though considerations of interest first occasioned this rupture between the British queens, rivalry of another kind contributed to widen the breach, and female jealousy increased the violence of their political hatred. Elizabeth, with all those extraordinary qualities by which she equalled or surpassed such of her sex as have merited the greatest renown, discovered an admiration of her own person, to a degree which women of ordinary understandings either do not entertain, or prudently endeavour to conceal. Her attention to dress, her solicitude to display her charms, her love of flattery, were all excessive. Nor were these weaknesses confined to that period of life when they are more pardonable. Even in very advanced years, the wisest woman of that, or perhaps of any other age, wore the garb, and affected the manners of a girl.<sup>p</sup> Though Elizabeth was as much inferior to beauty and gracefulness of person, as she excelled her in political abilities and in the arts of government, he was weak enough to compare herself with the Scottish queen ;<sup>q</sup> and as it was impossible she could be altogether ignorant how much Mary gained by the comparison, she envied and hated her as a rival by whom she was eclipsed. In judging of the conduct of princes, we are apt to ascribe too much to political motives, and too little to the passions which they feel in common with the rest of mankind. In order to account for Elizabeth's

<sup>p</sup> Johnston. *Hist. Rer. Britan.* 346, 347. Carte, vol. iii. 699. Catalogue of Royal and Noble Authors, article *Essex*.

<sup>q</sup> Melvil, 98.

present, as well as subsequent conduct towards Mary, we must not always consider her as a queen, we must sometimes regard her merely as a woman.

Elizabeth, though no stranger to Mary's difficulties with respect to the treaty, continued to urge her, by repeated applications, to ratify it.<sup>r</sup> Mary, under various pretences, still contrived to gain time, and to elude the request. But while the one queen solicited with persevering importunity, and the other evaded with artful delay, they both studied an extreme politeness of behaviour, and loaded each other with professions of sisterly love, with reciprocal declarations of unchangeable esteem and amity.

Elizabeth refuses Mary a safe conduct. It was not long before Mary was convinced, that among princes these expressions of friendship are commonly far distant from the heart. In sailing from France to Scotland, the course lies along the English coast. In order to be safe from the insults of the English fleet, or, in case of tempestuous weather, to secure a retreat in the harbours of that kingdom, Mary sent M. D'Oysel to demand of Elizabeth a safe conduct during her voyage. This request, which decency alone obliged one prince to grant to another, Elizabeth rejected, in such a manner as gave rise to no slight suspicion of a *désign*, either to obstruct the passage, or to intercept the person of the Scottish queen.<sup>s</sup>

<sup>r</sup> Keith, 157. 160, &c.

<sup>s</sup> Ibid, 171. Camden.

*A Letter from Queen Elizabeth to Queen Mary.*<sup>a</sup>

To the right excellent, right high, and mighty Princessse, our right dear and well-beloved sister and cousin the Queen of Scotland.

16th Aug. Right excellent, right high, and mighty Princessse, our right dear and right  
1561. Pa- well-beloved sister and cousin, we greet you well. The lord of St. Cosme  
per Office, brought to us your letters, dated the 8th of this present at Abbeville,  
from a whereby ye signify, that although by the answer brought to you by Mon-  
copy. sieur Doyzell, ye might have had occasion to have entered into some doubt  
of our amity, yet after certain purposes passed betwixt you and our am-  
bassador, you would assure us of your good meaning to live with us in amity, and for  
your purpose therein ye require us to give credit to the said St. Cosme. We have  
thereunto thought good to answer as followeth: The same St. Cosme hath made like  
declaration unto us on your part, for your excuse in not ratifying the treaty, as your-  
self made to our ambassador, and we have briefly answered to every the same points,  
as he can shew you: and if he shall not do so, yet least in the mean season you might  
be induced to think that your reasons had satisfied us, somerally we assure you, that  
to our requests your answer cannot be reputed for a satisfaction. For we require no

<sup>a</sup> This is the complete paper of which that industrious and impartial collector, Bishop Keith, has published a fragment, from what he calls his shattered MS. 154, note (a) 181.

Mary, in a long conference with Throkmorton, the English ambassador in France, explained her sentiments concerning this ungenerous behaviour of his mistress, in a strain of dignified expostulation, which conveys an idea of her abilities, address, and spirit, as advantageous as any transaction in her reign. Mary was at that time only in her eighteenth year; and as Throkmorton's account of what passed in his interview with her, is addressed directly to Elizabeth,<sup>t</sup> that dexterous courtier, we may be well assured, did not embellish the discourse of the Scottish queen with any colouring too favourable.

Mary begins her voyage.

Whatever resentment Mary might feel, it did not retard her departure from France. She was accompanied to Calais, the place where she embarked, in a manner suitable to her dignity, as the queen of two powerful kingdoms. Six princes of Lorraine, her uncles, with many of the most eminent among the French nobles, were in her retinue. Catherine, who secretly re-

benefit of you, but that you will perform your promise whereunto you are bound by your seal and your hand, for the refusal whereof we see no reason alleged can serve. Neither covet we any thing, but that which is in your own power as Queen of Scotland, that which yourself in words and speech doth confess, that which your late husband's our good brother's ambassadors and you concluded, that which your own nobility and people were made privy unto, that which indeed made peace and quietness betwixt us, yea that without which no perfect amity can continue betwixt us, as if it be indifferently weighed, we doubt not but ye will perceive, allow, and accomplish. Nevertheless, perceiving, by the report of the bringer, that you mean forthwith upon your coming home, to follow herein the advice of your council in Scotland, we are content to suspend our concept of all unkindness, and do assure you that we be fully resolved, upon this being performed, to unite a sure band of amity, and to live in neighbourhood with you as quietly, friendly, yea as assuredly in the knot of friendship, as we be in the knot of nature and blood. And herein we be so earnestly determined, that the world should see if the contrary should follow (which God forbid) the very occasion to be in you and not in us; as the story witnesseth the like of the King your father, our uncle, with whom our father sought to have knitt a perpetual bond by inviting to come in this realm to York, of which matter we know there remain with us, and we think with you, sundry witnesses of our father's earnest good meaning, and of the error whereunto divers evil councillors induced your father; or, finally, where it seemeth that report hath been made unto you, that we had sent our admiral to the seas with our navy to empeache your passage, both your servants do well understand how false that is, knowing for a truth that we have not any more than two or three small barks upon the seas, to apprehend certain pirates, being thereto entreated, and almost compelled, by the earnest complaint of the ambassador of our good brother the King of Spain, made of certaine Scottishmen haunting our seas as pirates, under pretence of letters of marque, of which matter also we earnestly require you, at your coming to your realme, to have some good consideration, and the rather for the respect that ought to be betwixt your realme and the countries of us, of France, of Spain, and of the house of Burgundy. And so, right excellent, right high, and mighty Princesses, we recommend us to you with most earnest request, not to neglect these our friendly and sisterly offers of friendship, which, before God, we mean and intend to accomplish. Given under our signet at Henyngham the 16th of August, in the third year of our reign.

<sup>t</sup> Cabbala, p. 374. Keith, 170, &c.

joined at her departure, graced it with every circumstance of magnificence and respect. After bidding adieu to her mournful attendants, with a sad heart, and eyes bathed in tears, Mary left that kingdom, the short but only scene of her life in which fortune smiled upon her. While the French coast continued in sight, she intently gazed upon it, and musing, in a thoughtful posture, on that height of fortune whence she had fallen, and presaging, perhaps, the disasters and calamities which imbittered the remainder of her days, she sighed often, and cried out "Farewell, France! Farewell, beloved country, which I shall never more behold!" Even when the darkness of the night had hid the land from her view, she would neither retire to the cabin, nor taste food, but commanding a couch to be placed on the deck, she there waited the return of day with the utmost impatience. Fortune soothed her on this occasion; the galley made little way during the night. In the morning, the coast of France was still in sight, and she continued to feed her melancholy with the prospect; and, as long as her eyes could distinguish it, to utter the same tender expressions of regret.<sup>u</sup> At last a brisk gale arose, by favour of which for some days, and afterward under the cover of a thick fog, Mary escaped the English fleet, which, as she apprehended, lay in wait in order to intercept her;<sup>x</sup> and on the 19th of August, after an absence of near thirteen years, landed safely at Leith in her native kingdom.

Arrives in Scotland. Mary was received by her subjects with shouts and acclamations of joy, and with every demonstration of welcome and regard. But as her arrival was unexpected,

<sup>u</sup> Brantome, 483. He himself was in the same galley with the queen.

<sup>x</sup> Goodal, vol. i. 175. Camden insinuates, rather than affirms, that it was the object of the English fleet to intercept Mary. This, however, seems to be doubtful. Elizabeth positively asserts that, at the request of the king of Spain, she had fitted out a few ships of slender force, in order to clear the narrow seas of pirates, which infested them; and she appeals for the truth of this to Mary's own ministers. See p. 238. Cecil, in a letter to Throckmorton, Aug. 26. 1561, informs him, that "the queen's ships, which were upon the seas to cleanse them of pirates, saw her [i. e. Mary], and saluted her galleys, and staying her ships, examined them of pirates, and dismissed them gently. One Scottish ship they detained as vehemently suspected of piracy." Hard. State Papers, i. 176. Castlenau, who accompanied Mary in this voyage, confirms the circumstance of her galleys being in sight of the English fleet. Mem. ap. Jebb. xi. 455.



and no suitable preparation had been made for it, they could not, with all their efforts, hide from her the poverty of the country, and were obliged to conduct her to the palace of Holyrood-house with little pomp. The queen, accustomed from her infancy to splendour and magnificence, and fond of them, as was natural at her age, could not help observing the change in her situation, and seemed to be deeply affected with it.<sup>y</sup>

State of the kingdom at this time. Never did any prince ascend the throne at a juncture which called for more wisdom in council, or more courage and steadiness in action. The rage of religious controversy was still unabated. The memory of past oppression exasperated the Protestants; the smart of ancient injuries rendered the Papists desperate; both were zealous, fierce, and irreconcilable. The absence of their sovereign had accustomed the nobles to independence; and, during the late commotions, they had acquired such an increase of wealth, by the spoils of the church, as threw great weight into the scale of the aristocracy, which stood not in need of any accession of power. The kingdom had long been under the government of regents, who exercised a delegated jurisdiction, attended with little authority, and which inspired no reverence. A state of pure anarchy had prevailed for the two last years, without a regent, without a supreme council, without the power or even the form, of a regular government.<sup>z</sup> A licentious spirit, unacquainted with subordination, and disdaining the restraints of law and justice, had spread among all ranks of men. The influence of France, the ancient ally of the kingdom, was withdrawn or despised. The English, of enemies become confederates, had grown into confidence with the nation, and had gained an ascendant over all its councils. The Scottish monarchs did not derive more splendour or power from the friendship of the former, than they had reason to dread injury and diminution from the interposition of the latter. Every consideration, whether of interest or of self-preservation, obliged

<sup>y</sup> Brant. 481.<sup>z</sup> Keith, App. 92.

Elizabeth to depress the royal authority in Scotland, and to create the prince perpetual difficulties, by fomenting the spirit of dissatisfaction among the people.

In this posture were the affairs of Scotland, when the administration fell into the hands of a young queen, not nineteen years of age, unacquainted with the manners and laws of her country, a stranger to her subjects, without experience, without allies, and almost without a friend.

On the other hand, in Mary's situation we find some circumstances, which, though they did not balance these disadvantages, contributed however to alleviate them; and, with skilful management might have produced great effects. Her subjects, unaccustomed so long to the residence of their prince, were not only dazzled by the novelty and splendour of the royal presence, but inspired with awe and reverence. Besides the places of power and profit bestowed by the favour of a prince, his protection, his familiarity, and even his smiles, confer honour and win the hearts of men. From all corners of the kingdom, the nobles crowded to testify their duty and affection to their sovereign, and studied by every art to wipe out the memory of past misconduct, and to lay in a stock of future merit. The amusements and gaiety of her court, which was filled with the most accomplished of the French nobility, who had attended her, began to soften and to polish the rude manners of the nation. Mary herself possessed many of those qualifications which raise affection and procure esteem. The beauty and gracefulness of her person drew universal admiration, the elegance and politeness of her manners commanded general respect. To all the charms of her own sex, she added many of the accomplishments of the other. The progress she had made in all the arts and sciences, which were then deemed necessary or ornamental, was far beyond what is commonly attained by princes; and all her other qualities were rendered more agreeable by a courteous affability, which, without lessening the dignity of a prince, steals on the hearts of subjects with a bewitching insinuation.

From these circumstances, notwithstanding the threat-

ening aspect of affairs at Mary's return into Scotland; notwithstanding the clouds which gathered on every hand, a political observer would have predicted a very different issue of her reign; and, whatever sudden gusts of faction he might have expected, he would never have dreaded the destructive violence of that storm which followed.

While all parties were contending who should discover the most dutiful attachment to the queen, the zealous and impatient spirit of the age broke out in a remarkable instance. On the Sunday after her arrival, the queen commanded mass to be celebrated in the chapel of her palace. The first rumour of this occasioned a secret murmuring among the Protestants who attended the court; complaints and threatenings soon followed; the servants belonging to the chapel were insulted and abused; and, if the prior of St. Andrew's had not seasonably interposed, the rioters might have proceeded to the utmost excesses.<sup>a</sup>

It is impossible, at this distance of time, and under circumstances so very different, to conceive the violence of that zeal against Popery, which then possessed the nation. Every instance of condescension to the Papists was deemed an act of apostacy, and the toleration of a single mass pronounced to be more formidable to the nation than the invasion of ten thousand armed men.<sup>b</sup> Under the influence of these opinions, many Protestants would have ventured to go dangerous lengths; and, without attempting to convince their sovereign by argument, or to reclaim her by indulgence, would have abruptly denied her the liberty of worshipping God in that manner which alone she thought acceptable to him. But the prior of St. Andrew's, and other leaders of the party, not only restrained this impetuous spirit, but, in spite of the murmurs of the people and the exclamations of the preachers, obtained for the queen and her domestics the undisturbed exercise of the Catholic religion. Near a hundred years after this period, when the violence of religious animosities had begun to subside, when time and the progress of learning had enlarged the

<sup>a</sup> Knox, 274. Haynes, 372.

<sup>b</sup> Knox, 287.

views of the human mind, an English house of commons refused to indulge the wife of their sovereign in the private use of the mass. The Protestant leaders deserve, on this occasion, the praise both of wisdom and of moderation for conduct so different. But, at the same time, whoever reflects upon the encroachments and sanguinary spirit of Popery in that age, will be far from treating the fears and caution of the more zealous reformers as altogether imaginary, and destitute of any real foundation.

The leaders of the Protestants, however, by this prudent compliance with the prejudices of their sovereign, obtained from her a proclamation<sup>c</sup> highly favourable to their religion, which was issued six days after her arrival in Scotland. The reformed doctrine, though established over all the kingdom by the parliament, which met in consequence of the treaty of pacification, had never received the countenance or sanction of royal authority. In order to quiet the minds of those who had embraced that doctrine, and to remove any dread of molestation which they might entertain, Mary declared, "that until she should take final orders concerning religion, with advice of parliament, any attempt to alter or subvert the religion which she found universally practised in the realm, should be deemed a capital crime."<sup>c</sup> Next year a second proclamation to the same effect was published.<sup>d</sup>

She employs only Protestants in the administration. The queen, conformably to the plan which had been concerted in France, committed the administration of affairs entirely to Protestants. Her council was filled with the most eminent persons of that party: not a single Papist was admitted into any degree of confidence.<sup>e</sup> The prior of St. Andrew's and Maitland of Lethington seemed to hold the first place in the queen's affection, and possessed all the power as well as reputation of favourite ministers. Her choice could not have fallen upon persons more acceptable to her people: and, by their prudent advice, Mary conducted herself with so much moderation, and deference to the sentiments of the nation, as

<sup>c</sup> Keith, 504.<sup>d</sup> Ibid, 510.<sup>e</sup> Knox, 285.

could not fail of gaining the affection of her subjects,<sup>f</sup> the firmest foundation for a prince's power, and the only genuine source of his happiness and glory.

Attempts to gain Elizabeth's favour. A cordial reconciliation with Elizabeth was another object of great importance to Mary; and though she seems to have had it much at heart, in the beginning of her administration, to accomplish such a desirable conjunction, yet many events occurred to widen, rather than to close, the breach. The formal offices of friendship, however, are seldom neglected among princes; and Elizabeth, who had attempted so openly to obstruct the queen's voyage into Scotland, did not fail, a few days after her arrival, to command Randolph to congratulate her safe return. Mary, that she might be on equal terms with her, sent Maitland to the English court with many ceremonious expressions of regard for Elizabeth.<sup>g</sup> Both the ambassadors were received with the utmost civility: and on each side the professions of kindness, as they were made with little sincerity, were listened to with proportional credit.

Both were intrusted, however, with something more than mere matter of ceremony. Randolph urged Mary, with fresh importunity, to ratify the treaty of Edinburgh. Maitland endeavoured to amuse Elizabeth, by apologizing for the dilatory conduct of his mistress with regard to that point. The multiplicity of public affairs since her arrival in Scotland, the importance of the question in dispute, and the absence of many noblemen, with whom she was obliged in decency to consult, where the pretences offered in excuse for her conduct; the real causes of it were those which have already been mentioned. But in order to extricate herself out of these difficulties, into which the treaty of Edinburgh had led her, Mary was brought to yield a point, which formerly she seemed determined never to give up. She instructed Maitland to signify her willingness to disclaim any right to the crown of England, during the life of Elizabeth, and the lives of her posterity; if in failure of these, she were declared next heir by an act of parliament.<sup>h</sup>

<sup>f</sup> Lesly, 235.

<sup>g</sup> Keith, 181, &c.

<sup>h</sup> Camden, 387. Buch. 329.

Reasonable as this proposal might appear to Mary, who thereby precluded herself from disturbing Elizabeth's possession of the throne, nothing could be more inconsistent with Elizabeth's interest, or more contradictory to a passion which predominated in the character of that princess. Notwithstanding all the great qualities which threw such lustre on her reign, we may observe, that she was tinctured with a jealousy of her right to the crown, which often betrayed her into mean and ungenerous actions. The peculiarity of her situation heightened, no doubt, and increased, but did not infuse, this passion. It descended to her from Henry VII. her grandfather, whom, in several features of his character, she nearly resembled. Like him, she suffered the title by which she held the crown to remain ambiguous and controverted, rather than submit it to parliamentary discussion, or derive any addition to her right from such authority. Like him she observed every pretender to the succession, not only with that attention which prudence prescribes, but with that aversion which suspicion inspires. The present uncertainty with regard to the right of succession operated for Elizabeth's advantage, both on her subjects and on her rivals. Among the former, every lover of his country regarded her life as the great security of the national tranquillity; and chose rather to acknowledge a title which was dubious, than to search for one that was unknown. The latter, while nothing was decided, were held in dependance, and obliged to court her. The manner in which she received this ill-timed proposal of the Scottish queen, was no other than might have been expected. She rejected it in a peremptory tone, with many expressions of a resolution never to permit a point of so much delicacy to be touched.

Sept. 1.

About this time the queen made her public entry into Edinburgh with great pomp. Nothing was neglected that could express the duty and affection of the citizens towards their sovereign. But amidst these demonstrations of regard, the genius and sentiments of the nation discovered themselves in a circumstance, which, though inconsiderable, ought not to be overlooked. As it was the

mode of the times to exhibit many pageants at every public solemnity, most of these, on this occasion, were contrived to be representations of the vengeance which the Almighty had inflicted upon idolaters.<sup>1</sup> Even while they studied to amuse and to flatter the queen, her subjects could not refrain from testifying their abhorrence of that religion which she professed.

Restraints the licence of the borderers. To restore the regular administration of justice, and to reform the internal policy of the country, became the next object of the queen's care. The laws enacted for preservation of public order, and the security of private property, were nearly the same in Scotland as in every other civilized country. But the nature of the Scottish constitution, the feebleness of regal authority, the exorbitant power of the nobles, the violence of faction, and the fierce manners of the people, rendered the execution of these laws feeble, irregular, and partial. In the counties which border on England, this defect was most apparent; and the consequences of it most sensibly felt. The inhabitants, strangers to industry, averse from labour, and unacquainted with the arts of peace, subsisted chiefly by spoil and pillage; and being confederated in septs or clans, committed these excesses not only with impunity, but even with honour. During the unsettled state of the kingdom from the death of James V., this dangerous licence had grown to an unusual height; and the inroads and rapine of those freebooters were become no less intolerable to their own countrymen than to the English. To restrain and punish these outrages, was an action equally popular in both kingdoms. The prior of St. Andrew's was the person chosen for this important service; and extraordinary powers, together with the title of the queen's lieutenant, were vested in him for that purpose.

Nothing can be more surprising to men accustomed to regular government, than the preparations made on this occasion. They were such as might be expected in the rudest and most imperfect state of society. The free-

<sup>1</sup> Keith, 189.

holders of eleven several counties, with all their followers completely armed, were summoned to assist the lieutenant in the discharge of his office. Every thing resembled a military expedition, rather than the progress of a court of justice.<sup>k</sup> The prior executed his commission with such vigour and prudence, as acquired him a great increase of reputation and popularity among his countrymen. Numbers of the banditti suffered the punishment due to their crimes; and, by the impartial and rigorous administration of justice, order and tranquillity were restored to that part of the kingdom.

The Papists attempt, in vain to get into favour with her. During the absence of the prior of St. Andrew's, the leaders of the Popish faction seem to have taken some steps towards insinuating themselves into the queen's favour and confidence.<sup>l</sup> But the archbishop of St. Andrews, the most remarkable person in the party for abilities and political address, was received with little favour at court; and, whatever secret partiality the queen might have towards those who professed the same religion with herself, she discovered no inclination at that time, to take the administration of affairs out of the hands to which she had already committed it.

The cold reception of the archbishop of St. Andrew's was owing to his connexion with the house of Hamilton; from which the queen was much alienated. The duke of Guise and the cardinal could never forgive the zeal with which the duke of Chatelherault and his son the earl of Arran had espoused the cause of the Congregation. Princes seldom view their successors without jealousy and distrust. The prior of St. Andrew's, perhaps, dreaded the duke as a rival in power. All these causes concurred in infusing into the queen's mind an aversion for that family. The duke, indulging his love of retirement, lived at a distance from court, without taking pains to insinuate himself into favour; and, though the earl of Arran openly aspired to marry the queen, he, by a most unpardonable act of imprudence, was the only nobleman of distinction who op-

<sup>k</sup> Keith, 198.

<sup>l</sup> Ibid. 203.



posed Mary's enjoying the exercise of her religion; and, by rashly entering a public protestation against it, entirely forfeited her favour.<sup>m</sup> At the same time, the sordid parsimony of his father obliged him either to hide himself in some retirement, or to appear in a manner unbecoming his dignity as first prince of the blood, or his high pretensions as suitor to the queen.<sup>n</sup> His love, inflamed by disappointment; and his patience, exasperated by neglect, preyed gradually on his reason; and, after many extravagancies, broke out at last in ungovernable frenzy.

Dec. 20. Towards the end of the year, a convention of estates was held, chiefly on account of ecclesiastical affairs. The assembly of the church, which sat at the same time, presented a petition, containing many demands with respect to the suppressing of Popery, the encouraging the Protestant religion, and the providing for the maintenance of the clergy.<sup>o</sup> The last was a matter of great importance, and the steps taken towards it deserve to be traced.

A new regulation concerning the revenues of the church. Though the number of Protestant preachers was now considerably increased, many more were still wanted, in every corner of the kingdom. No legal provision having been made for them, they had hitherto drawn a scanty and precarious subsistence from the benevolence of their people. To suffer the ministers of the established church to continue in this state of indigence and dependance, was an indecency equally repugnant to the principles of religion, and to the maxims of sound policy; and would have justified all the imputations of avarice with which the reformation was then loaded by its enemies. The revenues of the Popish church were the only fund which could be employed for their relief; but, during the three last years, the state of these was greatly altered. A great majority of abbots, priors, and other heads of religious houses, had, either from a sense of duty, or from views of interest, renounced the errors of Popery; and, notwithstanding this change in their sentiments, they retained their ancient revenues. Al-

<sup>m</sup> Keith, 201. 204. Knox, 286.

<sup>n</sup> Keith, 196.

<sup>o</sup> Ibid. 210.

most the whole order of bishops, and several of the other dignitaries, still adhered to the Romish superstition ; and, though debarred from every spiritual function, continued to enjoy the temporalities of their benefices. Some laymen, especially those who had been active in promoting the reformation, had, under various pretences, and amidst the licence of civil wars, got into their hands possessions which belonged to the church. Thus, before any part of the ancient ecclesiastical revenues could be applied towards the maintenance of the Protestant ministers, many different interests were to be adjusted ; many claims to be examined ; and the prejudices and passions of the two contending parties required the application of a delicate hand. After much contention, the following plan was approved by a majority of voices, and acquiesced in even by the Popish clergy themselves. An exact account of the value of ecclesiastical benefices throughout the kingdom was appointed to be taken. The present incumbents, to whatever party they adhered, were allowed to keep possession : two-thirds of their whole revenue were reserved for their own use, the remainder was annexed to the crown ; and out of that the queen undertook to assign a sufficient maintenance for the Protestant clergy.<sup>p</sup>

As most of the bishops and several of the other dignitaries were still firmly attached to the Popish religion, the extirpation of the whole order, rather than an act of such extraordinary indulgence, might have been expected from the zeal of the preachers, and from the spirit which had hitherto animated the nation. But on this occasion, other principles obstructed the operations of such as were purely religious. Zeal for liberty, and the love of wealth, two passions extremely opposite, concurred in determining the Protestant leaders to fall in with this plan, which deviated so manifestly from the maxims by which they had hitherto regulated their conduct.

If the reformers had been allowed to act without control, and to level all distinctions in the church, the great

<sup>p</sup> Keith, App. 175. Knox, 194.

revenues annexed to ecclesiastical dignities could not, with any colour of justice, have been retained by those in whose hands they now were; but must either have been distributed amongst the Protestant clergy, who performed all religious offices, or must have fallen to the queen, from the bounty of whose ancestors the greater part of them was originally derived. The former scheme, however suitable to the religious spirit of many among the people, was attended with manifold danger. The Popish ecclesiastics had acquired a share in the national property, which far exceeded the proportion that was consistent with the happiness of the kingdom; and the nobles were determined to guard against this evil, by preventing the return of those possessions into the hands of the church. Nor was the latter, which exposed the constitution to more imminent hazard, to be avoided with less care. Even that circumscribed prerogative, which the Scottish kings possessed, was the object of jealousy to the nobles. If they had allowed the crown to seize the spoils of the church, such an increase of power must have followed that accession of property, as would have raised the royal authority above control, and have rendered the most limited prince in Europe the most absolute and independent. The reign of Henry VIII. presented a recent and alarming example of this nature. The wealth which flowed in upon that prince, from the suppression of the monasteries, not only changed the maxims of his government, but the temper of his mind; and he who had formerly submitted to his parliaments, and courted his people, dictated from that time to the former with intolerable insolence, and tyrannized over the latter with unprecedented severity. And if his policy had not been extremely short-sighted, if he had not squandered what he acquired, with a profusion equal to his rapaciousness, and which defeated his ambition, he might have established despotism in England, on a basis so broad and strong as all the efforts of the subjects would never have been able to shake. In Scotland, where the riches of the clergy bore as great a proportion to the wealth of the kingdom, the acquisition of church lands would have been of

no less importance to the crown, and no less fatal to the aristocracy. The nobles, for this reason, guarded against such an increase of the royal power, and thereby secured their own independence.

Avarice mingled itself with their concern for the interest of their order. The re-uniting the possessions of the church to the crown, or the bestowing them on the Protestant clergy, would have been a fatal blow, both to those nobles who had, by fraud or violence, seized part of these revenues, and to those abbots and priors who had totally renounced their ecclesiastical character. But as the plan which was proposed, gave some sanction to their usurpation, they promoted it with their utmost influence. The Popish ecclesiastics, though the lopping off a third of their revenues was by no means agreeable to them, consented, under their present circumstances, to sacrifice a part of their possessions, in order to purchase the secure enjoyment of the remainder; and, after deeming the whole irrecoverably lost, they considered whatever they could retrieve as so much gain. Many of the ancient dignitaries were men of noble birth; and, as they no longer entertained hopes of restoring the Popish religion, they wished their own relations, rather than the crown, or the Protestant clergy, to be enriched with the spoils of the church. They connived, for this reason, at the encroachments of the nobles; they even aided their avarice and violence; they dealt out the patrimony of the church among their own relations, and by granting *feus* and perpetual leases of lands and tithes, gave, to the utmost of their power, some colour of legal possession to what was formerly mere usurpation. Many vestiges of such alienation still remain.<sup>a</sup> The nobles, with the concurrence of the incumbents, daily extended their encroachments, and gradually stripped the ecclesiastics of their richest and most valuable possessions. Even that third part, which was given up in order to silence the clamours of the Protestant clergy, and to be some equivalent to the crown for its claims, amounted to no considerable sum. The *thirds* due by the

<sup>a</sup> Keith, 507. Spots. 175.

more powerful nobles, especially by such as had embraced the reformation, were almost universally remitted. Others, by producing fraudulent rentals; by estimating the corn, and other payments in kind, at an undervalue; and by the connivance of collectors, greatly diminished the charge against themselves:† and the nobles had much reason to be satisfied with a devise which, at no small expense, secured to them such valuable possessions.

The Protestant clergy no gainers by it. Nor were the Protestant clergy considerable gainers by this new regulation; they found it to be a more easy matter to kindle zeal, than to extinguish avarice. Those very men, whom formerly they had swayed with absolute authority, were now deaf to all their remonstrances. The prior of St. Andrew's, the earl of Argyll, the earl of Morton and Maitland, all the most zealous leaders of the Congregation, were appointed to assign, or, as it was called, to *modify* their stipends. A hundred merks Scottish was the allowance which their liberality afforded to the generality of ministers. To a few three hundred merks were granted.‡ About 24,000*l.* Scottish appears to have been the whole sum allotted for the maintenance of a national church established by law, and esteemed throughout the kingdom the true church of God.⁴ Even this sum was paid with little exactness, and the ministers were kept in the same poverty and dependence as formerly.

1562. Dissensions among the nobles. The gentleness of the queen's administration, and the elegance of her court, had mitigated, in some degree, the ferocity of the nobles, and accustomed them to greater mildness and humanity; while, at the same time, her presence and authority were a check to their factious and tumultuary spirit. But, as a state of order and tranquillity was not natural to the feudal aristocracy, it could not be of long continuance; and this year became remarkable for the most violent eruptions of intestine discord and animosity.

Among the great and independent nobility of Scotland,

† Keith, App. 188. Spots. 183.

‡ Knox, 301.

⁴ Keith, App. 188.

a monarch could possess little authority, and exercise no extensive or rigorous jurisdiction. The interfering of interest, the unsettled state of property, the frequency of public commotions, and the fierceness of their own manners, sowed among the great families the seeds of many quarrels and contentions. These, as we have already observed, were frequently decided not by law, but by violence. The offended baron, without having recourse to the monarch, or acknowledging his superior authority, assembled his own followers, and invaded the lands of his rival in a hostile manner. Together with his estate and honours, every nobleman transmitted some hereditary feud to his posterity, who were bound in honour to adopt and to prosecute it with unabated rancour.

Such a dissension had subsisted between the house of Hamilton and the earl of Bothwell, and was heightened by mutual injuries during the late commotions.<sup>u</sup> The earl of Arran and Bothwell happening to attend the court at the same time, their followers quarrelled frequently in the streets of Edinburgh, and excited dangerous tumults in that city. At last, the mediation of their friends,  
 February. particularly of Knox, brought about a reconciliation, but an unfortunate one to both these noblemen.<sup>x</sup>

A few days after, Arran came to Knox, and, with the utmost terror and confusion, confessed first to him, and then to the prior of St. Andrew's, that in order to obtain the sole direction of affairs, Bothwell, and his kinsmen the Hamiltons, had conspired to murder the prior, Maitland, and the other favourites of the queen. The duke of Chatelherault regarded the prior as a rival, who had supplanted him in the queen's favour, and who filled that place at the helm, which he imagined to be due to himself, as first prince of the blood. Bothwell, on account of the personal injuries which he had received from the prior during the hostile operations of the two contending parties, was no less exasperated against him. But whether he and the Hamiltons had agreed to cement their new alliance with

<sup>u</sup> Keith, 215.

<sup>x</sup> Knox, 305.

the blood of their common enemy, or whether the conspiracy existed only in the frantic and disordered imagination of the earl of Arran, it is impossible, amidst the contradiction of historians and the defectiveness of records, positively to determine. Among men inflamed with resentment and impatient for revenge, rash expressions might be uttered, and violent and criminal expedients proposed; and on that foundation, Arran's distempered fancy might rear the whole superstructure of a conspiracy. All the persons accused, denied their guilt with the utmost confidence. But the known characters of the men, and the violent spirit of the age, added greatly to the probability of the accusation, and abundantly justify the conduct of the queen's ministers, who confined Bothwell, Arran, and a few of the ringleaders, in separate prisons, and obliged the duke to surrender the strong castle of Dumbarton, which he had held ever since the time of his resigning the office of regent.<sup>†</sup>

The earl of Huntly's enmity to the queen's ministers. The designs of the earl of Huntly against the prior of St. Andrew's were deeper laid, and produced more memorable and more tragical events. George Gordon,

earl of Huntly, having been one of the nobles who conspired against James III., and who raised his son James IV. to the throne,<sup>‡</sup> enjoyed a great share in the confidence of that generous prince. By his bounty, great accessions of wealth and power were added to a family already opulent and powerful. On the death of that monarch, Alexander, the next earl, being appointed lord lieutenant of all the counties beyond the Forth, left the other nobles to contend for offices at court; and retiring to the north, where his estate and influence lay, resided there in a kind of princely independence. The chieftains in that part of the kingdom dreaded the growing dominion of such a dangerous neighbour, but were unable to prevent his encroachments. Some of his rivals he secretly undermined, others he subdued by open force. His estate far exceeded that of any other subject, and his *superiorities* and jurisdictions ex-

<sup>†</sup> Knox, 307, 308.

<sup>‡</sup> Crawford. Officers of State, 56.

tended over many of the northern counties. With power and possessions so extensive, under two long and feeble minorities, and amidst the shock of civil commotions, the earls of Huntly might have indulged the most elevated hopes. But, happily for the crown, an active and enterprising spirit was not the characteristic of that family; and, whatever object their ambition might have in view, they chose rather to acquire it by political address, than to seize it openly and by force of arms.

The conduct of George the present earl, during the late commotions, have been perfectly suitable to the character of the family in that age, dubious, variable, and crafty. While the success of the lords of the Congregation was uncertain, he assisted the queen-regent in her attempts to crush them. When this affair put on a better aspect, he pretended to join them, but never heartily favoured their cause. He was courted and feared by each of the contending parties; both connived at his encroachments in the north; and, by artifice and force, which he well knew how to employ alternatively, and in their proper places, he added every day to the exorbitant power and wealth which he possessed.

He observed the growing reputation and authority of the prior of St. Andrew's with the greatest jealousy and concern, and considered him as a rival who had engrossed that share in the queen's confidence, to which his own zeal for the Popish religion seemed to give him a preferable title. Personal injuries soon increased the misunderstanding occasioned by rivalry in power. The queen having determined to reward the services of the prior of St. Andrew's, by creating him an earl, she made choice of Mar, as the place whence he should take his title; and that he might be better able to support his new honour, bestowed upon him at the same time the lands of that name. These were part of the royal dimesnes,<sup>a</sup> but the earls of Huntly had been permitted, for several years, to keep possession of them.<sup>b</sup>

· Feb. 1. On this occasion the earl not only complained, with



some reason, of the loss which he sustained, but had real cause to be alarmed at the intrusion of a formidable neighbour into the heart of his territories, who might be able to rival his power, and excite his oppressed vassals to shake off his yoke.

June 27. An incident, which happened soon after, increased and confirmed Huntly's suspicions. Sir John Gordon, his third son, and lord Ogilvie, had a dispute about the property of an estate. This dispute became a deadly quarrel. They happened unfortunately to meet in the streets of Edinburgh, and being both attended with armed followers, a scuffle ensued, in which lord Ogilvie was dangerously wounded by Sir John. The magistrates seized both the offenders, and the queen commanded them to be strictly confined. Under any regular government, such a breach of public peace and order would expose the person offending to certain punishment: at this time some severity was necessary, in order to vindicate the queen's authority from an insult, the most heinous which had been offered to it since her return into Scotland. But, in an age accustomed to licence and anarchy, even this moderate exercise of her power, in ordering them to be kept in custody, was deemed an act of intolerable rigour; and the friends of each party began to convene their vassals and dependants, in order to overawe, or to frustate the decisions of justice.<sup>c</sup> Meanwhile Gordon made his escape out of prison, and flying into Aberdeenshire, complained loudly of the indignity with which he had been treated; and as all the queen's actions were at this juncture imputed to the earl of Mar, this added not a little to the resentment which Huntly had conceived against that nobleman.

August. At the very time when these passions fermented, with the utmost violence, in the minds of the earl of Huntly and his family, the queen happened to set out on a progress into the northern parts of the kingdom. She was attended by the earls of Mar and Morton, Maitland and other leaders of that party. The presence of the queen, in

<sup>c</sup> Keith, 223.

a country where no name greater than the earl of Huntly's had been heard of, and no power superior to his had been exercised, for many years, was an event of itself abundantly mortifying to that haughty nobleman. But while the queen was entirely under the direction of Mar, all her actions were more apt to be misrepresented, and construed into injuries; and a thousand circumstances could not but occur to awaken Huntly's jealousy, to offend his pride, and to inflame his resentment. Amidst the agitation of so many violent passions, some eruption was unavoidable.

On Mary's arrival in the north, Huntly employed his wife, a woman capable of executing the commission with abundance of dexterity, to sooth the queen, and to intercede for pardon to their son. But the queen peremptorily required that he should again deliver himself into the hands of justice, and rely on her clemency. Gordon was persuaded to do so; and being enjoined by the queen to enter himself prisoner in the castle of Stirling, he promised likewise to obey that command. Lord Erskine, Mar's uncle, was at that time governor of this fort. The queen's severity, and the place in which she appointed Gordon to be confined, were interpreted to be new marks of Mar's rancour, and augmented the hatred of the Gordons against him.

Sept. 1. Meantime, Sir John Gordon set out towards Stirling; but, instead of performing his promise to the queen, made his escape from his guards, and returned to take the command of his followers, who were rising in arms all over the north. These were destined to second and improve the blow, by which his father proposed, secretly and at once, to cut off Mar, Morton, and Maitland, his principal adversaries. The time and place for perpetrating this horrid deed were frequently appointed; but the executing of it was wonderfully prevented, by some of those unforeseen accidents, which so often occur to disconcert the schemes, and to intimidate the hearts of assassins.<sup>d</sup> Huntly's own house, at Strathbogie, was the last and most convenient scene appointed for committing the intended

<sup>d</sup> Keith, 230.

violence. But on her journey thither, the queen heard of young Gordon's flight and rebellion, and refusing, in the first transports of her indignation, to enter under the father's roof, by that fortunate expression of her resentment saved her ministers from unavoidable destruction.<sup>e</sup>

Take arms  
against  
the queen. The ill success of these efforts of private revenge precipitated Huntly into open rebellion. As the queen was entirely under the direction of his rivals, it was impossible to compass their ruin, without violating the allegiance which he owed his sovereign. On her arrival at Inverness, the commanding officer in the castle, by Huntly's orders, shut the gates against her. Mary was obliged to lodge in the town, which was open and defenceless; but this too was quickly surrounded by a multitude of the earl's followers.<sup>f</sup> The utmost consternation seized the queen, who was attended by a very slender train. She every moment expected the approach of the rebels, and some ships were already ordered into the river to secure her escape. The loyalty of the Munroes, Frasers, Mackintoshes, and some neighbouring clans, who took arms in her defence, saved her from this danger. By their assistance, she even forced the castle to surrender, and inflicted on the governor the punishment which his insolence deserved.

This open act of disobedience was the occasion of a measure more galling to Huntly than any the queen had hitherto taken. Lord Erskine having pretended a right to the earldom of Mar, Stewart resigned it in his favour; and at the same time Mary conferred upon him the title of earl of Murray, with the estate annexed to that dignity, which had been in the possession of the earl of Huntly since the year 1548.<sup>g</sup> From this encroachment upon his domains he concluded that his family was devoted to destruction; and, dreading to be stripped gradually of those possessions which, in reward of their services, the gratitude of the crown had bestowed on himself, or his ancestors, he no longer disguised his intentions, but, in defiance of the

<sup>e</sup> Knox. 318.<sup>f</sup> Crawford. Officers of State, 87. 88.<sup>g</sup> Crawford. Peer. 359.

queen's proclamation, openly took arms. Instead of yielding those places of strength, which Mary required him to surrender, his followers dispersed or cut in pieces the parties which she dispatched to take possession of them;<sup>b</sup> and he himself advancing with a considerable body of men towards Aberdeen, to which place the queen was now returned, filled her small court with consternation. Murray had only a handful of men in whom he could confide.<sup>i</sup> In order to form the appearance of an army, he was obliged to call in the assistance of the neighbouring barons; but as most of these either favoured Huntly's designs, or stood in awe of his power, from them no cordial or effectual service could be expected.

Oct. 28. With these troops, however, Murray, who could gain nothing by delay, marched briskly towards the enemy. He found them at Corichie, posted to great advantage; he commanded his northern associates instantly to begin the attack; but, on the first motion of the enemy, they treacherously turned their backs; and Huntly's followers, throwing aside their spears, and breaking their ranks, drew their swords, and rushed forward to the pursuit. It was then that Murray gave proof, both of steady courage and of prudent conduct. He stood immoveable on a rising ground, with the small but trusty body of his adherents, who, presenting their spears to the enemy, received them with a determined resolution, which they little expected. The highland broad sword is not a weapon fit to encounter the Scottish spear. In every civil commotion, the superiority of the latter has been evident, and has always decided the contest. On this occasion the irregular attack of Huntly's troops was easily repulsed by Murray's firm battalion. Before they recovered from the confusion occasioned by this unforeseen resistance, Murray's northern troops, who had fled so shamefully in the beginning of the action, willing to regain their credit with the victorious party, fell upon them and completed the rout. Huntly himself, who was extremely corpulent,

<sup>b</sup> Knox, 319.

<sup>i</sup> Keith, 230.

was trodden to death in the pursuit. His sons, Sir John and Adam, were taken, and Murray returned in triumph to Aberdeen with his prisoners.

The trial of men taken in actual rebellion against their sovereign was extremely short. Three days after the battle, Sir John Gordon was beheaded at Aberdeen. His brother Adam was pardoned on account of his youth. Lord Gordon, who had been privy to his father's designs, was seized in the south, and upon trial found guilty of treason; but, through the queen's clemency, the punishment was remitted. The first parliament proceeded against this great family with the utmost rigour of law, and reduced their power and fortune to the lowest ebb.<sup>k</sup>

As the fall of the earl of Huntly is the most important

<sup>k</sup> This conspiracy of the earl of Huntly is one of the most intricate and mysterious passages in the Scottish history. As it was a transaction purely domestic, and in which the English were little interested, few original papers concerning it have been found in Cecil's collection, the great storehouse of evidence and information with regard to the affairs of this period.

Buchanan supposes Mary to have formed a design about this time of destroying Murray, and of employing the power of the earl of Huntly for this purpose. But his account of this whole transaction appears to be so void of truth, and even of probability, as to deserve no serious examination. At that time Mary wanted power, and seems to have had no inclination to commit any act of violence upon her brother.

Two other hypotheses have been advanced, in order to explain this matter; but they appear to be equally removed from truth.

I. It cannot well be conceived, that the queen's journey to the north was a scheme concerted by Murray, in order to ruin the earl of Huntly. 1. Huntly had resided at court almost ever since the queen's return. Keith, 198. App. 175, &c. This was the proper place in which to have seized him. To attack him in Aberdeenshire, the seat of his power and in the midst of his vassals, was a project equally absurd and hazardous. 2. The queen was not accompanied with a body of troops, capable of attempting any thing against Huntly by violence: her train was not more numerous than was usual in times of greatest tranquillity. Keith, 230. 3. There remain two original letters with regard to this conspiracy; one from Randolph the English resident, and another from Maitland, both directed to Cecil. They talk of Huntly's measures as notoriously treasonable. Randolph mentions his repeated attempts to assassinate Murray, &c. No hint is given of any previous resolution, formed by Mary's ministers, to ruin Huntly and his family. Had any such design ever existed, it was Randolph's duty to have discovered it; nor would Maitland have laboured to conceal it from the English secretary. Keith, 229. 232.

II. To suppose that the earl of Huntly had lain any plan for seizing the queen and her ministers, seems to be no less improbable. 1. On the queen's arrival in the north, he laboured, in good earnest, to gain her favour, and to obtain a pardon for his son. Knox, 318. 2. He met the queen, first at Aberdeen, and then at Rothemay, whither he would not have ventured to come, had he harboured any such treasonable resolution. Knox, 318. 3. His conduct was irresolute and wavering, like that of a man disconcerted by an unforeseen danger, not like one executing a concerted plan. 4. The most considerable persons of his clan submitted to the queen, and found surety to obey her commands. Keith, 226. Had the earl been previously determined to rise in arms against the queen, or to seize her ministers, it is probable he would have imparted it to his principal followers, nor would they have deserted him in this manner.

For these reasons I have, on the one hand, vindicated the earl of Murray from any deliberate intention of ruining the family of Gordon; and on the other hand, I have imputed the violent conduct of the earl of Huntly to a sudden start of resentment, without charging him with any premeditated purpose of rebellion.

event of this year, it would have been improper to interrupt the narrative by taking notice of lesser transactions, which may now be related with equal propriety.

An inter-  
view be-  
tween  
Elizabeth  
and Mary  
proposed.

In the beginning of summer, Mary, who was desirous of entering into a more intimate correspondence and familiarity with Elizabeth, employed Maitland to desire a personal interview with her, somewhere in the north of England. As this proposal could not be rejected with decency, the time, the place, and the circumstances of the meeting were instantly agreed upon. But Elizabeth was prudent enough not to admit into her kingdom a rival who outshone herself so far in beauty and gracefulness of person; and who excelled so eminently in all the arts of insinuation and address. Under pretence of being confined to London, by the attention which she was obliged to give to the civil wars in France, she put off the interview for that season,<sup>1</sup> and prevented her subjects from seeing the Scottish queen, the charms of whose appearance and behaviour she envied, and had some reason to dread.

June 2. During this year, the assembly of the church met  
Dec. 25. twice. In both these meetings were exhibited many complaints of the poverty and dependance of the church; and many murmurs against the negligence or avarice of those who had been appointed to collect and to distribute the small fund, appropriated for the maintenance of preachers.<sup>m</sup> A petition, craving redress of their grievances, was presented to the queen; but without any effect. There was no reason to expect that Mary would discover any forwardness to grant the request of such supplicants. As her ministers, though all most zealous Protestants, were themselves growing rich on the inheritance of the church, they were equally regardless of the indigence and demands of their brethren.

1563. Mary had now continued above two years in a state  
Negotia- of widowhood. Her gentle administration had se-  
tions with cured the hearts of her subjects, who were impa-  
regard to timent for her marriage, and wished the crown to  
the queen's marriage.

<sup>1</sup> Keith, 216.

<sup>m</sup> Knox, 311. 323.

descend in the right line from their ancient monarchs. She herself was the most amiable woman of the age, and the fame of her accomplishments, together with the favourable circumstances of her having one kingdom already in her possession, and the prospect of mounting the throne of another, prompted many different princes to solicit an alliance so illustrious. Scotland, by its situation, threw so much weight and power into whatever scale it fell, that all Europe waited with solicitude for Mary's determination; and no event in that age excited stronger political fears and jealousies; none interested more deeply the passions of several princes, or gave rise to more contradictory intrigues, than the marriage of the Scottish queen.

She is solicited by different princes. The princes of the house of Austria remembered what vast projects the French had founded on their former alliance with the queen of Scots; and though the unexpected death, first of Henry and then of Francis, had hindered these from taking effect, yet if Mary should again make choice of a husband among the French princes, the same designs might be revived and prosecuted with better success.

By the archduke Charles. In order to prevent this, the emperor entered into a negotiation with the cardinal of Lorraine, who had proposed to marry the Scottish queen to the archduke Charles, Ferdinand's third son. The matter was communicated to Mary; and Melvil, who at that time attended the elector palatine, was commanded to inquire into the character and situation of the archduke.<sup>n</sup>

<sup>n</sup> Melv. 63. 65. Keith, 239.

*A Letter of Randolph to the Right Honourable Sir William Cecil, Knight, Principal Secretary to the Queen's Majesty.*

Of late, until the arrival of Monsieur Le Crouch, I had nothing worth the writing unto your Honour. Before his coming we had so little to hint upon, that we did nothing but pass our time in feasts, banquetting, masking, and running at the ring, and such like. He brought with him such a number of letters, and such abundance of news, that, for the space of three days, we gave ourselves to nothing else but to reading of writings, and hearing of tales, many so truly reported, that they might be compared to any that ever Luciane did write de veris narrationibus. Among all his tidings, for the most assured, I send this unto your Honour as an undoubted truth, which is, that the Cardinal of Lorraine, at his being with the Emperor, moved a marriage between his youngest son, the Duke of Astruche, and this Queen; wherein he hath so far travailed, that it hath already come unto this point, that if she find it good, the said

By don Philip II., though no less apprehensive of Mary's Carlos of falling once more into the hands of France, envied Spain. his uncle Ferdinand the acquisition of so important a prize; and, as his own insatiable ambition grasped at all the kingdoms of Europe, he employed his ambassador at the French court to solicit the princes of Lorraine in behalf of his son don Carlos, at that time the heir of all the extensive dominions which belong to the Spanish monarchy.<sup>o</sup>

By the Catherine of Medicis, on the other hand, dreaded the duke of the marriage of the Scottish queen with any of the Anjou. Austrian princes, which would have added so much to the power and pretensions of that ambitious race. Her

Duke will out of hand send hither his ambassador, and farther proceed to the consummation hereof, with as convenient speed as may be; and to the intent her mind may be the better known, Le Croch is sent unto her with this message from the Cardinal, who hath promised unto the Emperor to have word again before the end of May; and for this cause Le Croch is ready for his departure, and his letters writing both day and night. This Queen being before advertised of his towardness, by many means hath sought far off to know my Lord of Murray's mind herein, but would never so plainly deal with him, that he could learn what her meaning is, or how she is bent. She useth no man's council but only this man's that last arrived, and assuredly until the L. of Lidington's return, she will do what she can to keep that secret; and because resolution in his absence cannot be taken, she will, for this time, return Le Croch with request to have longer time to devise; and after, with the most speed she can, she fully purposeth to advertise him, I mean her uncle the Cardinal, of her mind. Of this matter the L. of Lidington is made privy. I know not whether by some intelligence that he had before his departure, or since his arrival in France, divers letters have passed between her Grace and him, whereof as much as it imported not greatly the knowledge of, was communicated to some, as much as was written in sypher is kept unto themselves. Whether also the L. of Lidington hath had conference with the Spanish ambassador in England of this matter or any like, I leave it unto your Honour's good means to get true knowledge thereof. Guesses or surmizes in so grave matters, I would be loth to write for verities. This also your Honour may take for truth, that the Emperor hath offered with his son, for this Queen's dower, the county of Tyroll, which is said to be worth 30,000 franks by year. Of this matter also the Rhingrave wrote a letter unto this Queen out of France, not long since. This is all that presently I can write unto your Honour hereof; as I can come by farther knowledge, your Honour shall be informed.

I have received your Honour's writings by the Scottish man that last came into these parts; he brought also letters unto this Queen from the L. of Lidington; their date was old, and contained only the news of France. I perceive divers ways that Newhaven is sorre closed, but I am not so ignorant of their nature, but that I know they will say as much as they dare do, I will not say as the proverb doth, 'canis timidus fortius latrat.' From hence I do assure them, what means somever they make, or how pitiful somever their mone be, they are like to receive but small comfort for all their long allie. We stand daily in doubt what friendship we shall need ourself, except we put better order into our misrulerd Papists than yet we do, or know how to bring to pass that we may be void of their comber.

To-morrow, the 15th of this instant, the Queen departeth of this town towards Edenborough. If my hap be good, you shall thoroughly hear some merry tidings of the Bp. of St. Andrews; upon Wednesday next he shall be arraigned, and five other priests, for their massing at Easter last. Thus most humbly I take my leave. At St. Andrew's the 15th of May, 1563.

<sup>o</sup> Casteln. 461. Addit. a Labour. 501. 503.



jealousy of the princes of Lorrain rendered her no less averse from an alliance which, by securing to them the protection of the emperor or king of Spain, would give new boldness to their enterprising spirit, and enable them to set the power of the crown, which they already rivalled, at open defiance; and as she was afraid that these splendid proposals of the Austrian family would dazzle the young queen, she instantly dispatched Castelnau into Scotland, to offer her in marriage the duke of Anjou, the brother of her former husband, who soon after mounted the throne of France.<sup>p</sup>

Mary's deliberations concerning it. Mary attentively weighed the pretensions of so many rivals. The archduke had little to recommend him, but his high birth. The example of Henry VIII. was a warning against contracting a marriage with the brother of her former husband; and she could not bear the thoughts of appearing in France, in a rank inferior to that which she had formerly held in that kingdom. She listened, therefore, with partiality, to the Spanish propositions, and the prospect of such vast power and dominions flattered the ambition of a young and aspiring princess.

Three several circumstances, however, concurred to divert Mary from any thoughts of a foreign alliance.

The first of these was the murder of her uncle the duke of Guise. The violence and ambition of that nobleman had involved his country in a civil war; which was conducted with furious animosity and various success. At last the duke laid siege to Orleans, the bulwark of the Protestant cause; and he had reduced that city to the last extremity, when he was assassinated by the frantic zeal of Poltrot. This blow proved fatal to the queen of Scots. The young duke was a minor; and the cardinal of Lorrain, though subtle and intriguing, wanted that undaunted and enterprising courage, which rendered the ambition of his brother so formidable. Catherine, instead of encouraging the ambition, or furthering the pretensions of her daughter-

in-law, took pleasure in mortifying the one, and in disappointing the other. In this situation, and without such a protector, it became necessary for Mary to contract her views, and to proceed with caution; and whatever prospect of advantage might allure her, she could venture upon no dangerous or doubtful measure.

The views  
of Eliza-  
beth.

The second circumstance which weighed with Mary, was the opinion of the queen of England. The marriage of the Scottish queen interested Elizabeth more deeply than any other prince; and she observed all her deliberations concerning it with the most anxious attention. She herself seems early to have formed a resolution of living unmarried, and she discovered no small inclination to impose the same law on the queen of Scots. She had already experienced what use might be made of Mary's power and pretensions to invade her dominions, and to disturb her possession of the crown. The death of Francis II. had happily delivered her from this danger, which she determined to guard against for the future with the utmost care. As the restless ambition of the Austrian princes, the avowed and bigoted patrons of the Catholic superstition, made her in a particular manner dread their neighbourhood, she instructed Randolph to remonstrate, in the strongest terms, against any alliance with them; and to acquaint Mary, that as she herself would consider such a match to be a breach of the personal friendship in which they were so happily united; so the English nation would regard it as the dissolution of that confederacy which now subsisted between the two kingdoms; that, in order to preserve their own religion and liberties, they would, in all probability, take some step prejudicial to her right of succession, which as she well knew, they neither wanted power nor pretences to invalidate and set aside. This threatening was accompanied with a promise, but expressed in very ambiguous terms, that if Mary's choice of a husband should prove agreeable to the English nation, Elizabeth would appoint proper persons to examine her title to the succession, and, if well founded, command it to be pub-

licly recognized. She observed, however, a mysterious silence concerning the person on whom she wished the choice of the Scottish queen to fall. The revealing of the secret was reserved for some future negotiation. Meanwhile she threw out some obscure hints, that a native of Britain, or one not of princely rank, would be her safest and most inoffensive choice.<sup>†</sup> An advice, offered with such an air of superiority and command, mortified, no doubt, the pride of the Scottish queen. But, under her present circumstances, she was obliged to bear this indignity. Destitute of all foreign assistance, and intent upon the English succession, the great object of her wishes and ambition, it became necessary to court a rival, whom, without manifest imprudence, she could not venture to offend.

The sentiments of her own subjects. The inclination of her own subjects was another, and not the least considerable circumstance, which called for Mary's attention at this conjuncture. They had been taught, by the fatal experiment of her former marriage, to dread an union with any great prince, whose power might be employed to oppress their religion and liberties. They trembled at the thoughts of a match with a foreigner; and if the crown should be strengthened by new dominions or alliances, they foresaw that the royal prerogative would soon be stretched beyond its ancient and legal limits. Their eagerness to prevent this could hardly fail of throwing them once more into the arms of England. Elizabeth would be ready to afford them her aid towards obstructing a measure so disagreeable to herself. It was easy for them to seize the person of the sovereign. By the assistance of the English fleet, they could render it difficult for any foreign prince to land in Scotland. The Roman Catholics, now an inconsiderable party in the kingdom, and dispirited by the loss of the earl of Huntly, could give no obstruction to their designs. To what violent extremes the national abhorrence of a foreign yoke might have been carried, is manifest from what she had already seen and experienced.

<sup>†</sup> Keith, 242. 245.

For these reasons, Mary laid aside, at that time, all thoughts of foreign alliance, and seemed willing to sacrifice her own ambition, in order to remove the jealousies of Elizabeth, and to quiet the fears of her own subjects.

A parliament held, May 26. The parliament met this year, for the first time since the queen's return into Scotland. Mary's administration had hitherto been extremely popular.

Her ministers possessed the confidence of the nation; and by consequence, the proceedings of that assembly were conducted with perfect unanimity. The grant of the earldom of Murray to the prior of St. Andrew's was confirmed: the earl of Huntly, and several of his vassals and dependants, were attainted: the attainder against Kirkaldy of Grange, and some of his accomplices in the murder of cardinal Beaton, was reversed: the act of oblivion, mentioned in the treaty of Edinburgh, received the royal sanction. But Mary, who had determined never to ratify that treaty, took care that this sanction should not be deemed any acknowledgment of its validity; she granted her consent merely in condescension to the lords in parliament, who, on their knees, besought her to allay the jealousies, and apprehensions of her subjects, by such a gracious law.<sup>s</sup>

Nothing determined with regard to religion; No attempt was made in this parliament to procure the queen's assent to the laws establishing the Protestant religion. Her ministers, though zealous Protestants themselves, were aware that this could not be urged without manifest danger and imprudence. She had consented, through their influence, to tolerate and protect the reformed doctrine. They had even prevailed on her to imprison and prosecute the archbishop of St. Andrew's, and prior of Whithorn, for celebrating mass contrary to her proclamation.<sup>t</sup> Mary, however, was still passionately devoted to the Romish church; and though, from political motives, she had granted a temporary protection of opinions which she disapproved, there were no grounds to hope that she would agree to establish them for perpetuity. The moderation of those

<sup>s</sup> Knox, 330.

<sup>\*</sup> Parl. 9, Q. Mary, c. 67. Spotsw. 188.

<sup>t</sup> Keith, 239.

who professed it, was the best method for reconciling the queen to the Protestant religion. Time might abate her bigotry. Her prejudices might wear off gradually, and at last she might yield to the wishes of her people, what their importunity or their violence could never have extorted. Many laws of importance were to be proposed in parliament; and to defeat all these, by such a fruitless and ill-timed application to the queen, would have been equally injurious to individuals, and detrimental to the public.

which offends the clergy, The zeal of the Protestant clergy was deaf to all these considerations of prudence or policy. Eager and impatient, it brooked no delay: severe and inflexible, it would condescend to no compliances. The leading men of that order insisted, that this opportunity of establishing religion by law was not to be neglected. They pronounced the moderation of the courtiers, apostacy; and their endeavours to gain the queen, they reckoned criminal and servile. Knox solemnly renounced the friendship of the earl of Murray, as a man devoted to Mary, and so blindly zealous for her service, as to become regardless of those objects which he had hitherto esteemed most sacred. This rupture, which is a strong proof of Murray's sincere attachment to the queen at that period, continued above a year and a half.<sup>a</sup>

The preachers being disappointed by the men in whom they placed the greatest confidence, gave vent to their indignation in their pulpits. These echoed more loudly than ever with declamations against idolatry; with dismal presages concerning the queen's marriage with a foreigner; and with bitter reproaches against those who, from interested motives, had deserted that cause which they once reckoned it their honour to support. The people, inflamed by such vehement declamations, which were dictated by a zeal more sincere than prudent, proceeded to rash and unjustifiable acts of violence. During the queen's absence, and occasions a tumult on a progress into the west, mass continued to be celebrated in her chapel at Holyrood-house. The

<sup>a</sup> Knox, 331.

among the multitude of those who openly resorted thither, people. gave great offence to the citizens of Edinburgh, August. who, being free from the restraint which the royal presence imposed, assembled in a riotous manner, interrupted the service, and filled such as were present with the utmost consternation. Two of the ringleaders in this tumult were seized, and the day appointed for their trial.<sup>x</sup>

Knox tried Knox, who deemed the zeal of these persons laudable, and their conduct meritorious, considered them on that account, but as sufferers in a good cause; and in order to screen Oct. 8. acquitted.

them from danger, he issued circular letters, requiring all who professed the true religion, or were concerned for the preservation of it, to assemble at Edinburgh, on the day of trial, that by their presence they might comfort and assist their distressed brethren.<sup>y</sup> One of these letters fell into the queen's hands. To assemble the subjects without the authority of the sovereign, was construed to be treason, and a resolution was taken to prosecute Knox for that crime, before the privy-council. Happily for him, Dec. 15. his judges were not only zealous Protestants, but

the very men who, during the late commotions, had openly resisted and set at defiance the queen's authority. It was under precedents, drawn from their own conduct, that Knox endeavoured to shelter himself. Nor would it have been an easy matter for these counsellors to have found out a distinction, by which they could censure him without condemning themselves. After a long hearing, to the astonishment of Lethington and the other courtiers,<sup>z</sup> he was unanimously acquitted. Sinclair, bishop of Ross, and president of the court of session, a zealous Papist, heartily concurred with the other counsellors in this decision;<sup>a</sup> a remarkable fact, which shews the unsettled state of government in that age; the low condition to which regal authority was then sunk; and the impunity with which subjects might invade those rights of the crown which are now held sacred.

1564. The marriage of the Scottish queen continued still

<sup>x</sup> Knox, 335.

<sup>y</sup> Ibid. 336.

<sup>z</sup> Calderw. MS. Hist. i. 832.

<sup>a</sup> Knox, 343.

to be the object of attention and intrigue. Though Elizabeth, even while she wished to direct Mary, treated her with a disgustful reserve; though she kept her, without necessity, in a state of suspense; and hinted often at the person whom she destined to be her husband, without directly mentioning his name; yet Mary framed all her actions to express such a prudent respect for the English queen, that foreign princes began to imagine she had given herself up implicitly to her direction.<sup>b</sup> The prospect of this union alarmed Catherine of Medicis. Though Catherine had taken pleasure all along in doing ill offices to the queen of Scots; though soon after the duke of Guise's death, she had put upon her a most mortifying indignity, by stopping the payment of her dowry, by depriving her subject the duke of Chatelherault of his pension, and by bestowing the command of the Scottish guards on a Frenchman;<sup>c</sup> she resolved, however, to prevent this dangerous conjunction of the British queens. For this purpose she now employed all her art to appease Mary,<sup>d</sup> to whom she gave so many causes of offence. The

<sup>b</sup> Keith, 248.<sup>c</sup> Ibid, 244.<sup>d</sup> *Letter of Randolph to the Right Honourable Sir William Cecil, Knight, Principal Secretary to the Queen's Majesty.*

10th April, May it please your Honour, the 7th of this instant, Rowlet, this Queen's secretary, arrived here; he reporteth very honestly of his good usage; he brought with him many letters unto the Queen that came out of France, full of lamentations and sorrow. She received from the Queen-mother two letters; the one contained only the rehearsal of her griefs, the other signify the state of France as then it was, as in what sort things were accorded, and what farther was intended for the appeasing of the discords there, not mistrusting but that if reason could not be had at the Queen of England's hands, but that the realm of France should find her ready and willing to support and defend the right thereof, as by friendship and old alliance between the two realms she is bound.

How well these words do agree with her doings your Honour can well consider, and by her writings in this sort unto this Queen (which I assure your Honour is true), you may assuredly know, that nothing shall be left undone of her part, that may move debate or controversie between this Queen and our sovereign.

It was much mused by the Queen herself, how this new kindness came about, that at this time she received two long letters, written all with her own hand, saying, all the time since her return she never received half so many lines as were in one of the letters, which I can myself testify by the Queen's own saying, and other good assurance, where hitherto I have not been deceived. I can also farther assure your Honour, that this Queen hath said that she knoweth now, that the friendship of the Queen's Majesty my sovereign may stand her more in stead than that of her good mother in France, and as she is desirous of them both, so will she not lose the one for the other. I may also farther assure your Honour, that whatsoever the occasion is, this Queen hath somewhat in her heart that will burst out in time, which will manifest that some unkindness hath passed between them that will not be easy forgotten. In talk sometimes with myself, she saith that the Queen-mother might have used the matter otherwise than she hath done, and doth much doubt what shall be the success

arrears of her dowry were instantly paid ; more punctual remittances were promised for the future ; and offers made, not only to restore but to extend the privileges of the Scottish nation in France. It was easy for Mary to penetrate into the motives of this sudden change ; she well knew the character of her mother-in-law, and laid little stress upon professions of friendship which came from a princess of such a false and unfeeling heart.

The negotiation with England, relative to the marriage, suffered no interruption from this application of the French queen. As Mary, in compliance with the wishes of her subjects, and pressed by the strongest motives of interest, determined speedily to marry, Elizabeth was obliged to break that unaccountable silence which she had hitherto affected. The secret was disclosed, and her favourite, lord Robert Dudley, afterward earl of Leicester, was declared to be the happy man whom she had chosen to be the husband of a queen courted by so many princes.\*

March.  
Elizabeth  
recom-  
mends  
Leicester  
to her for a  
husband.

Elizabeth's wisdom and penetration were remarkable in the choice of her ministers ; in distinguishing her favourites, those great qualities were no less conspicuous. She was influenced in two cases so opposite, by merit of very different kinds. Their capacity for business, their knowledge, their prudence, were the talents to which alone she attended in choosing her ministers ; whereas beauty and gracefulness of person, polished manners, and courtly

of her great desire to govern alone, in all things to have her will. Seeing then that presently they stand in such terms one with the other, I tho't it better to confirm her in that mind (this Queen I mean), than to speak any word that might cause her to conceive better of the other. And yet I am assured she shall receive as friendly letters, and as many good words from this Queen, as the other did write unto her. Whether the Queen-mother will speak any thing unto the L. of Lidington of that purpose she did not write unto this Queen of, I know not ; but if she do, I think it hard if your Honour can get no favour thereof, at his return, or I perchance by some means here. It may perchance be written only by that Queen, to try what answer this Queen will give, or understand what mind she beareth unto the Queen's Majesty our sovereign. The Queen knoweth now that the earl Bothwell is sent for to London. She caused a gentleman of hers to inquire the cause ; I answered that I knew none other, but that his takers were in controversy who took him, and that it should be judged there. I know that she thinketh much that he is not sent into Scotland. It is yet greatly doubted that if he were here, he would be reserved for an evil instrument. If the Lord of Lidington have not been plain with your Honour herein, he is in the wrong to those who are his friends here, but most of all to himself. There comes a vulture in this realm, if ever that man come again into credit.

\* Keith, 251.



address, were the accomplishments on which she bestowed her favour. She acted in the one case with the wisdom of a queen, in the other she discovered the weakness of a woman. To this Leicester owed his grandeur. Though remarkable neither for eminence in virtue nor superiority of abilities, the queen's partiality distinguished him on every occasion. She raised him to the highest honours, she bestowed on him the most important employments, and manifested an affection so disproportionate to his merit, that in the opinion of that age, it could be accounted for only by the power of planetary influence.<sup>f</sup>

Mary of-  
fended  
at this. The high spirit of the Scottish queen could not well bear the first overture of a match with a subject. Her own rank, the splendour of her former marriage, and the solicitations at this time of so many powerful princes, crowded into her thoughts, and made her sensibly feel how humbling and disrespectful Elizabeth's proposal was. She dissembled, however, with the English resident; and though she declared, in strong terms, what a degradation she would deem this alliance, which brought along with it no advantage which could justify such neglect of her own dignity, she mentioned the earl of Leicester, notwithstanding, in terms full of respect.<sup>g</sup>

Elizabeth's  
views in  
recom-  
mending  
him. Elizabeth, we may presume, did not wish that the proposal should be received in any other manner. After the extraordinary marks she had given of her own attachment to Leicester, and while he was still in the very height of favour, it is not probable she could think seriously of bestowing him upon another. It was not her aim to persuade, but only to amuse Mary.<sup>h</sup> Almost three years were elapsed since her return into Scotland; and though solicited by her subjects, and courted by the greatest princes in Europe, she had hitherto been prevented from marrying, chiefly by the artifices of Elizabeth. If, at this time, the English queen could have engaged Mary to listen to her proposal in favour of Leices-

<sup>f</sup> Camden, 549.<sup>g</sup> Keith, 252.<sup>h</sup> Melv. 104, 105.

ter, her power over this creature of her own would have enabled her to protract the negotiation at pleasure; and, by keeping her rival unmarried, she would have rendered the prospect of her succession less acceptable to the English.

Leicester's own situation was extremely delicate and embarrassing. To gain possession of the most amiable woman of the age, to carry away this prize from so many contending princes, to mount the throne of an ancient kingdom, might have flattered the ambition of a subject much more considerable than him. He saw all these advantages, no doubt; and, in secret, they made their full impression on him. But, without offending Elizabeth, he durst not venture upon the most distant discovery of his sentiments, or take any step towards facilitating his acquisition of objects so worthy of desire.

On the other hand, Elizabeth's partiality towards him, which she was at no pains to conceal,<sup>i</sup> might inspire him with hopes of attaining the supreme rank in a kingdom more illustrious than Scotland. Elizabeth had often declared, that nothing but her resolution to lead a single life, and his being born her own subject, would have hindered her from choosing the earl of Leicester for a husband. Such considerations of prudence are, however, often surmounted by love; and Leicester might flatter himself, that the violence of her affection would at length triumph both over the maxims of policy and the scruples of pride. These hopes induced him, now and then, to conclude the proposal of his marriage with the Scottish queen to be a project for his destruction; and he imputed it to the malice of Cecil, who, under the specious pretence of doing him honour, intended to ruin him in the good opinion both of Elizabeth and Mary.<sup>k</sup>

A treaty of marriage, proposed by one queen, who dreaded its success; listened to by another, who was secretly determined against it; and scarcely desired by the man himself, whose interest and reputation it was calcu-

<sup>i</sup> Melv. 93, 94.

<sup>k</sup> Ibid. 101.

lated, in appearance, to promote; could not, under so many unfavourable circumstances, be brought to a fortunate issue. Both Elizabeth and Mary continued, however, to act with equal dissimulation. The former, notwithstanding her fears of losing Leicester, solicited warmly in his behalf. The latter, though she began about this time to cast her eyes upon another subject of England, did not at once venture finally to reject Elizabeth's favourite.

Mary entertains thoughts of marrying lord Darnley. The person towards whom Mary began to turn her thoughts, was Henry Stewart, lord Darnley, eldest son of the earl of Lennox. That nobleman, having been driven out of Scotland, under the regency of the duke of Chatelherault, had lived in banishment for twenty years. His wife, lady Margaret Douglas, was Mary's most dangerous rival in her claim upon the English succession. She was the daughter of Margaret, the eldest sister of Henry VIII. by the earl of Angus, whom the queen married after the death of her husband James IV. In that age, the right and order of succession was not settled with the same accuracy as at present. Time, and the decision of almost every case that can possibly happen, have at last introduced certainty into a matter which naturally is subject to all the variety arising from the caprice of lawyers, guided by obscure, and often imaginary analogies. The countess of Lennox, though born of a second marriage, was one degree nearer the royal blood of England than Mary. She was the daughter, Mary only the grand-daughter of Margaret. This was not the only advantage over Mary which the countess of Lennox enjoyed. She was born in England, and by a maxim of law in that country, with regard to private inheritances, "whoever is not born in England, or at least of parents who, at the time of his birth, were in the obedience of the king of England, cannot enjoy any inheritance in the kingdom."<sup>1</sup> This maxim, Hales, an English lawyer, produced in a treatise which he published at this time, and endeavoured to apply it to the right of succession to the crown. In a private cause,

<sup>1</sup> Carte, Hist. of Engl. vol. iii. p. 422.

these pretexts might have given rise to a long and doubtful litigation ; where a crown was at stake, such nice disputes and subtleties were to be avoided with the utmost care. If Darnley should happen to contract an alliance with any of the powerful families in England, or should publicly profess the Protestant religion, these plausible and popular topics might be so urged, as to prove fatal to the pretensions of a foreigner and of a Papist.

Mary was aware of all this ; and in order to prevent any danger from that quarter, had early endeavoured to cultivate a friendly correspondence with the family of Lennox. In the year 1562,<sup>m</sup> both the earl and the lady Margaret were taken into custody by Elizabeth's orders, on account of their holding a secret correspondence with the Scottish queen.

Elizabeth secretly pleased with this. From the time that Mary became sensible of the difficulties that would attend her marrying a foreign prince, she entered into a still closer connexion with the earl of Lennox,<sup>n</sup> and invited him to return into Scotland. This she endeavoured to conceal from Elizabeth ; but a transaction of so much importance did not escape the notice of that discerning princess. She observed, but did not interrupt it. Nothing could fall in more perfectly with her views concerning Scottish affairs. She was pleased to see the pride of the Scottish queen stoop at last to the thoughts of taking a subject to her bed. Darnley was in no situation to excite her jealousy or her fears. His father's estate lay in England, and by means of this pledge she hoped to keep the negotiation entirely in her own hands, to play the same game of artifice and delay, which she had planned out, if her recommendation of Leicester had been more favourably received.

As, before the union of the two crowns, no subject of one kingdom could pass into the other without the permission of both sovereigns ; no sooner did Lennox, under pretence of prosecuting his wife's claim upon the earldom of Angus, apply to Elizabeth for her licence to go into Scot-

<sup>m</sup> Camd. 389.

<sup>n</sup> Ibid. 396.

land, than he obtained it. Together with it, she gave him letters, warmly recommending his person and cause to Mary's friendship and protection.<sup>o</sup> But at the same time, as it was her manner to involve all her transactions with regard to Scotland in some degree of perplexity and contradiction, she warned Mary, that this indulgence of Lennox might prove fatal to herself, as his return could not fail of reviving the ancient animosity between him and the house of Hamilton.

This admonition gave umbrage to Mary, and drew from her an angry reply, which occasioned for some time a total interruption of all correspondence between the two queens.<sup>p</sup> Mary was not a little alarmed at this; she both dreaded the effects of Elizabeth's resentment, and felt sensibly the disadvantage of being excluded from a free intercourse with England, where her ambassadors had all along carried on, with some success, secret negotiations, which increased the number of her partisans, and paved her way towards the throne. In order to remove the causes of the present difficulty, Melvil was sent express to the court of England. He found it no difficult matter to bring about a reconciliation; and soon re-established the appearance, but not the confidence of friendship, which was all that had subsisted for some time between the two queens.

During this negotiation, Elizabeth's professions of love to Mary, and Melvil's replies in the name of his mistress, were made in the language of the warmest and most cordial friendship. But what Melvil truly observes with respect to Elizabeth, may be extended, without injustice, to both queens. "There was neither plain-dealing, nor upright meaning, but great dissimulation, envy, and fear."<sup>q</sup>

Lennox, however, in consequence of the licence which he had obtained, set out for Scotland, and was received by the queen, not only with the respect due to a nobleman so nearly allied to the royal family, but treated with a distinguished familiarity which could not fail of inspiring him with more elevated hopes. The ru-

Lennox  
arrives in  
Scotland.

<sup>o</sup> Keith, 255. 268.

<sup>p</sup> Ibid. 353. Melv. 83.

<sup>q</sup> Melv. 104.

mour of his son's marriage to the queen began to spread over the kingdom; and the eyes of all Scotland were turned upon him as the father of their future master. The duke of Chatelherault was the first to take the alarm. He considered Lennox as the ancient and hereditary enemy of the house of Hamilton; and, in his grandeur, saw the ruin of himself and his friends. But the queen interposed her authority to prevent any violent rupture, and employed all her influence to bring about an accommodation of the differences.<sup>f</sup>

The powerful family of Douglas no less dreaded Lennox's return, from an apprehension that he would wrest the earldom of Angus out of their hands. But the queen, who well knew how dangerous it would be to irritate Morton, and other great men of that name, prevailed on Lennox to purchase their friendship, by allowing his lady's claim upon the earldom of Angus to drop.<sup>g</sup>

<sup>Decem- ber.</sup> After these preliminary steps, Mary ventured to call a meeting of parliament. The act of forfeiture passed against Lennox in the year 1545 was repealed, and he was publicly restored to the honours and estate of his ancestors.<sup>h</sup>

<sup>f</sup> Keith, 259.

<sup>g</sup> Ibid. 268. Noté (b).

<sup>h</sup> *The Oration made by William Maitland of Lethington, younger secretary for the time, in the parliament holden by our sovereign the King's mother, Queen of this realm for the time, the time of the restitution of Unquile Matthew Earl Lennox.*

My Lords, and others here convened. Albeit, be that it has pleased Her Majesty most graciously to utter unto you, by her own mouth, ye may have sufficiently conceived the cause of this your present assembly; yet having Her Majesty's commandment to supply my Lord Chancellor's place, being presently as ye see deceased, I am willed to express the same somewhat more at large.

Notour it is, how in her Highness's minority, a process of forfaitour was decreed against my Lord of Lennox, for certain offences alledged committed by him; specified in the dome and censement of parliament given thereupon; by reason whereof he has this long time been exiled, and absent forth of his native country; how grievous the same has been unto him, it has well appeared by divers his suites, sundry ways brought unto Her Majesty's knowledge, not only containing most humble and due submission, but always bearing witness of his good devotion to Her Majesty, his natural Princess, and earnest affection he had to Her Highness' most humble service, if it should please Her Majesty of her clemency to make him able to enjoy the benefit of a subject. Many respects might have moved Her Highness favourably to incline to his request, as the ancency of his house, and the sirname he bears, the honour he has to appertain to Her Majesty by affinity, by reason of my Lady Margaret Her Highness's aunt, and divers other his good considerations, as also the affectuous request of her good sister the Queen's Majesty of England, whose earnest commendation was not of least moment; besides that, of her own natural, Her Majesty has a certain inclination to pity the decay of noble houses, and as we heard, by her own report, has a great deal more pleasure to be the instrument of the uphold, maintenance, and advancement of the ancient blood, than to have matter ministred of the decay or

June 25. The ecclesiastical transactions of this year were not  
 Dec. 25. considerable. In the assemblies of the church, the  
 The clergy suspicious of the same complaints of the increase of idolatry, the  
 queen's same representations concerning the poverty of the  
 zeal for Popery. clergy, were renewed. The reply which the queen  
 made to these, and her promises of redress, were more satisfying to the Protestants than any they had hitherto obtained.<sup>u</sup> But, notwithstanding her declarations in their favour, they could not help harbouring many suspicions concerning Mary's designs against their religion. She had never once consented to hear any preachers of the reformed

overthrow of any good race. Upon this occasion, Her Majesty the more tenderly looked upon his request, and her good sister the Queen of England's letter, written for recommendation of his cause, in consideration whereof not only has she granted unto him her letter of restitution, by way of grace, but also licensed him to pursue, by way of reduction, the remedies provided by the law for such as think themselves grieved by any judgment, unorderly led, and to have the process reversed; for examination whereof, it has pleased Her Majesty presently to assemble you the three estates of this her realme, by whose advice, deliberation, and decision, at Her Majesty's mind, to proceed forward upon his complaints, as the merits of the cause, laws of the realm, and practice observed in such cases, will bear out. The sum of all your proceedings at this time being, by that we have heard, thus as it were pointed out, I might here end, if the matter we have in hand gave me not occasion to say a few more words, not far different from the same subject, wherein I would extend the circumstances more largely, if I feared not to offend Her Highness, whose presence and modest nature abhors long speaking and adulation, and so will compel me to speak such things, as may seem to tend to any good and perfect point; and lest it should be compted to me, as that I were oblivious, if I should omit to put you in remembrance, in what part we may accept this, and the like demonstrations of her gentill nature; whose gracious behaviour towards all her subjects, in general, may serve for a good proof of that felicity we may look for under her happy government, so long as it shall please God to grant her unto us; for a good harmony to be had in the common weill, the offices between the Prince and the subjects must be reciproque, as by Her Majesty's prudence we enjoy this present peace with all foreign nations, and quietness among yourselves, in such sort, that I think justly it may be affirmed, Scotland, in no man's age that presently lives, was in greater tranquillity; so is it the duty of all her loving subjects to acknowledge the same as a most high benefit, proceeding from the good government of Her Majesty, declaring ourselves thankful for the same, and rendering to Her Majesty such due obedience, as a just Prince may look for at the hands of faithful and obedient subjects. I mean no forced nor unwilling obedience, which I know her nature does detest, but such as proceeds from the contemplation of her modest kind of regiment, will for love and duty sake produce the fruits thereof. A good proof have we all in general had of Her Majesty's benignity these three years that she has lived in the government over you, and many of you have largely tasted of her large liberality and frank dealing; on the other part Her Highness has had large appearance of your dutiful obedience, so it becomes you to continue, as we have begun, in consideration of the many notable examples of her clemency above others her good qualities, and to abhor and detest all false brutes and rumours, which are the most pestilent evils that can be in any common weill, and the sowers and inventors thereof. Then we may be well assured to have of her an most gracious Princesse, and she most faithful and loving subjects; and so both the head and the members, being encouraged to maintain the harmony and accord of the politic bodies, whereof I made mention before, as the glory thereof shall partly appertain to Her Majesty, so shall no small praise and unspeakable commodity redound therethrough to you all universally her subjects.

<sup>u</sup> Keith, 533. 539.

doctrine. She had abated nothing of her bigoted attachment to the Romish faith. The genius of that superstition, averse at all times from toleration, was in that age fierce and unrelenting. Mary had given her friends on the continent repeated assurances of her resolution to re-establish the Catholic church.\* She had industriously avoided every opportunity of ratifying the acts of parliament of 1560, in favour of the reformation. Even the protection which, ever since her return, she had afforded the Protestant religion, was merely temporary, and declared, by her own proclamation, to be of force only "till she should take some final order in the matter of religion."<sup>y</sup> The vigilant zeal of the preachers was inattentive to none of these circumstances. The coldness of their principal leaders, who were at this time entirely devoted to the court, added to their jealousies and fears. These they uttered to the people, in language which they deemed suitable to the necessity of the times, and which the queen reckoned disrespectful and insolent. In a meeting of the general assembly, Maitland publicly accused Knox of teaching seditious doctrine, concerning the right of subjects to resist those sovereigns who trespass against the duty which they owe to the people. Knox was not backward to justify what he had taught; and upon this general doctrine of resistance, so just in its own nature, but so delicate in its application to particular cases, there ensued a debate, which admirably displays the talents and character of both the disputants; the acuteness of the former, embellished with learning, but prone to subtlety; the vigorous understanding of the latter, delighting in bold sentiments, and superior to all fear.<sup>z</sup>

1565. Two years had already been consumed in fruitless  
Dissimulation both of Elizabeth and Mary, with regard to her marriage. negotiations concerning the marriage of the Scottish queen. Mary had full leisure and opportunity to discern the fallacy and deceit of all Elizabeth's proceedings with respect to it. But, in order to set the real intentions of the English queen in a clear

\* Carte, vol. iii. 415.

y Keith, 504. 510.

z Knox, 349.



light, and to bring her to some explicit declaration of her sentiments, Mary at last intimated to Randolph, that, on condition her right of succession to the crown of England were publicly acknowledged, she was ready to yield to the solicitations of his mistress in behalf of Leicester.<sup>a</sup> Nothing could be farther than this from the mind and intention of Elizabeth. The right of succession was a mystery, which, during her whole reign, her jealousy preserved untouched and unexplained. She had promised, however, when she first began to interest herself in the marriage of the Scottish queen, all that was now demanded. How to retreat with decency, how to elude her former offer, was, on that account, not a little perplexing.

The facility with which lord Darnley obtained permission to visit the court of Scotland, was owing, in all probability, to that embarrassment. From the time of Melvil's embassy, the countess of Lennox had warmly solicited this liberty for her son. Elizabeth was no stranger to the ambitious hopes with which that young nobleman flattered himself. She had received repeated advices from her ministers of the sentiments which Mary began to entertain in his favour.<sup>b</sup> It was entirely in her power to prevent his stirring out of London. In the present conjuncture, however, nothing could be of more advantage to her than Darnley's journey into Scotland. She had already brought one actor upon the stage, who under her management had, for a long time, amused the Scottish queen. She hoped, no less absolutely, to direct the motions of Darnley, who was likewise her subject; and again to involve Mary in all the tedious intricacies of negotiation. These motives determined Elizabeth and her ministers to yield to the solicitations of the countess of Lennox.

Darnley  
arrives in  
Scotland.

But this deep-laid scheme was in a moment concerted. Such unexpected events, as the fancy of poets ascribes to love, are sometimes really produced by that passion. An affair which had been the object of so many political intrigues, and had moved and interested so many princes, was at last decided by the sudden

<sup>a</sup> Keith, 269.

<sup>b</sup> Ibid, 259. 261. 266.

liking of two young persons. Lord Darnley was at this time in the first bloom and vigour of youth. In beauty and gracefulness of person he surpassed all his contemporaries; he excelled eminently in such arts as add ease and elegance to external form; and which enabled it not only

Gains the queen's heart. to dazzle, but to please. Mary was of an age, and of a temper, to feel the full power of these accomplishments. The impression which Lord Darnley

Feb. 13. made upon her was visible from the time of their first interview. The whole business of the court was to amuse and entertain this illustrious guest;<sup>c</sup> and in all those scenes of gaiety, Darnley, whose qualifications were altogether superficial and showy, appeared to great advantage. His conquest of the queen's heart became complete; and inclination now prompted her to conclude her marriage, the first thoughts of which had been suggested by considerations merely political.

Elizabeth contributed, and perhaps not without design, to increase the violence of this passion. Soon after Darnley's arrival in Scotland, she, in return to that message whereby Mary had signified her willingness to accept of Leicester, gave an answer in such terms as plainly unravelled her original intention in that intrigue.<sup>d</sup> She promised, if the Scottish queen's marriage with Leicester should take place, to advance him to great honours; but, with regard to Mary's title to the English succession she could neither suffer any legal inquiry to be made concerning it, nor permit it to be publicly recognized, until she herself should declare her resolution never to marry. Notwithstanding Elizabeth's former promises, Mary had reason to expect everything contained in this reply; her high spirit, however, could not bear with patience such a cruel discovery of the contempt, the artifice, and mockery, with which, under the veil of friendship, she had been so long abused. She burst into tears of indignation, and expressed, with the utmost bitterness, her sense of that disingenuous craft which had been employed to deceive her.<sup>e</sup>

The natural effect of this indignation was to add to the

<sup>c</sup> Knox, 369.

<sup>d</sup> Keith, 270. App. 158.

<sup>e</sup> Ibid.

impetuosity with which she pursued her own scheme. Blinded by resentment as well as by love, she observed no defects in the man whom she had chosen; and began to take the necessary steps towards accomplishing her design, with all the impatience natural to those passions.

As Darnley was so nearly related to the queen, the canon law made it necessary to obtain the pope's dispensation before the celebration of the marriage. For this purpose she early set on foot a negotiation with the court of Rome.<sup>f</sup>

The French court approve of the match. She was busy at the same time, in procuring the consent of the French king, and his mother. Having communicated her design, and the motives which determined her choice, to Castelnau the French ambassador, she employed him, as the most proper person, to bring his court to fall in with her views. Among other arguments to this purpose, Castelnau mentioned Mary's attachment to Darnley, which he represented to be so violent and deep-rooted, that it was no longer in her own power to break off the match.<sup>g</sup> Nor were the French ministers backward in encouraging Mary's passion. Her pride would never stoop to an alliance with a subject of France. By this choice they were delivered from the apprehension of a match with any of the Austrian princes, as well as the danger of too close an union with Elizabeth; and as Darnley professed the Roman catholic religion, this suited the bigoted schemes which that court adopted.

Darnley disgusts several of the nobles; While Mary was endeavouring to reconcile foreign courts to a measure which she had so much at heart, Darnley and his father, by their behaviour, were raising up enemies at home to obstruct it. Lennox had, during the former part of his life, discovered no great compass of abilities or political wisdom; and appears to have been a man of a weak understanding and violent passions. Darnley was not superior to his father in understanding, and all his passions were still more impetuous.<sup>h</sup> To these he added that insolence, which the advantage of external form, when accompanied with no qua-

<sup>f</sup> Camd. 396.<sup>g</sup> Casteln. 464.<sup>h</sup> Keith, 272, 273.

lity more valuable, is apt to inspire. Intoxicated with the queen's favour, he began already to assume the haughtiness of a king, and to put on that imperious air, which majesty itself can scarcely render tolerable.

It was by the advice, or at least with the consent particularly of Murray, of Murray and his party, that Lennox had been invited into Scotland:<sup>i</sup> and yet, no sooner did he acquire a firm footing in that kingdom, than he began to enter into secret cabals with those noblemen who were known to be avowed enemies to Murray, and, with regard to religion, to be either neutrals, or favourers of popery.<sup>k</sup> Darnley, still more imprudent, allowed some rash expressions concerning those favours which the queen's bounty had conferred upon Murray to escape him.<sup>l</sup>

But above all these, the familiarity which Darnley cultivated with David Rizzio contributed to increase the suspicion and disgust of the nobles.

The low birth and indigent condition of this man placed him in a station in which he ought naturally to have remained unknown to posterity. But

The rise of Rizzio's favour. what fortune called him to act and to suffer in Scotland, obliges history to descend from its dignity, and to record his adventures. He was the son of a musician in Turin, and having accompanied the Piedmontese ambassador into Scotland, gained admission into the queen's family by his skill in music. As his dependant condition had taught him suppleness of spirit and insinuating manners, he quickly crept into the queen's favour, and her French secretary happening to return at that time into his own country, was preferred by her to that office. He now began to make a figure in court, and to appear as a man of consequence. The whole train of suitors and expectants, who have an extreme sagacity in discovering the paths which lead most directly to success, applied to him. His recommendations were observed to have great influence over the queen, and he grew to be considered not only as a favourite, but as a minister. Nor was Rizzio careful to abate

<sup>i</sup> Knox, 367. Keith, 274.

<sup>k</sup> Keith, 272.

<sup>l</sup> Ibid. 274.

that envy which always attends such an extraordinary and rapid change of fortune. He studied, on the contrary, to display the whole extent of his favour. He affected to talk often and familiarly with the queen in public. He equalled the greatest and most opulent subjects, in richness of dress, and in the number of his attendants. He discovered, in all his behaviour, that assuming insolence, with which unmerited prosperity inspires an ignoble mind. It was with the utmost indignation that the nobles beheld the power, it was with the utmost difficulty that they tolerated the arrogance, of this unworthy minion. Even in the queen's presence they could not forbear treating him with marks of contempt. Nor was it his exorbitant power alone which exasperated the Scots. They considered him, and not without reason, as a dangerous enemy to the Protestant religion, and suspected that he held, for this purpose, a secret correspondence with the court of Rome.<sup>m</sup>

Darnley's connexion with him. It was Darnley's misfortune to fall under the management of this man, who, by flattery and assiduity, easily gained on his vanity and inexperience. All Rizzio's influence with the queen was employed in his behalf, and contributed, without doubt, towards establishing him more firmly in her affections.<sup>n</sup> But whatever benefit Darnley might reap from his patronage, it did not counterbalance the contempt, and even infamy, to which he was exposed, on account of his familiarity with such an upstart.

Though Darnley daily made progress in the queen's affection, she conducted herself, however, with such prudent reserve, as to impose on Randolph, the English resident, a man otherwise shrewd and penetrating. It appears from his letters at this period, that he entertained not the least suspicion of the intrigue which was carrying on; and gave his court repeated assurances, that the Scottish queen had no design of marrying Darnley.<sup>o</sup> In the midst of this security, Mary dispatched Maitland to signify her intention to Elizabeth, and to solicit her consent to the marriage with Darnley.

<sup>m</sup> Buchan. 340. Melv. 107.    <sup>n</sup> Melv. 111.    <sup>o</sup> Keith, 273. and App. 159.

This embassy was the first thing which opened the eyes of Randolph.

Elizabeth affected the greatest surprise at this sudden resolution of the Scottish queen, but without reason. The train was laid by herself, and she had no cause to wonder when it took effect. She expressed at the same time her disapprobation of the match in the strongest terms; and pretended to foresee many dangers and inconveniences arising from it, to both kingdoms. But this too was mere affectation. Mary had often and plainly declared her resolution to marry. It was impossible she could make any choice more inoffensive. The danger of introducing a foreign interest into Britain, which Elizabeth had so justly dreaded, was entirely avoided; Darnley, though allied to both crowns, and possessed of lands in both kingdoms, could be formidable to neither. It is evident from all these circumstances, that Elizabeth's apprehensions of danger could not possibly be serious; and that in all her violent declarations against Darnley, there was much more of grimace than of reality.<sup>p</sup>

There was not wanting, however, political motives of much weight, to induce that artful princess to put on the appearance of great displeasure. Mary, intimidated by this, might perhaps delay her marriage; which Elizabeth desired to obstruct, with a weakness that little suited the dignity of her mind and the elevation of her character. Besides, the tranquillity of her own kingdom was the great object of Elizabeth's policy; and, by declaring her dissatisfaction with Mary's conduct, she hoped to alarm that party in Scotland, which was attached to the English interest, and to encourage such of the nobles as secretly disapproved the match, openly to oppose it. The seeds of discord would by this means be scattered through that kingdom.

<sup>p</sup> Even the historians of that age acknowledge, that the marriage of the Scottish queen with a subject was far from being disagreeable to Elizabeth. Knox, 369. 373. Buchan. 339. Castelnau, who at that time was well acquainted with the intrigues of both the British courts, asserts, upon grounds of great probability, that the match was wholly Elizabeth's own work; Casteln. 462. and that she rejoiced at the accomplishment of it, appears from the letters of her own ambassadors. Keith, 280. 288.

Intestine commotions might arise. Amidst these Mary could form none of those dangerous schemes to which the union of her people might have prompted her. Elizabeth would become the umpire between the Scottish queen and her contending subjects; and England might look on with security, while a storm which she had raised, wasted the only kingdom which could possibly disturb its peace.

May 1. In prosecution of this scheme, she laid before her privy-council the message from the Scottish queen, and consulted them with regard to the answer she should return. Their determination, it is easy to conceive, was perfectly conformable to her secret views. They drew up a remonstrance against the intended match, full of the imaginary dangers with which that event threatened the kingdom.<sup>a</sup> Nor did she think it enough, to signify her disap-

<sup>a</sup> Keith, 274.

*The perils and troubles that may presently ensue, and in time to come follow, to the Queen's Majesty of England and state of this realm, upon the marriage of the Queen of Scots to the Lord Darley.*

First, the minds of such as be affected to the Queen of Scots, either for herself, or for the opinion of her pretence to this crown, or for the desire to have change of the forme of religion in this realm, or for the discontentation they have of the Queen's Majesty, or her succession, or of the succession of any other beside the Queen of Scots, shall be, by this marriage erected, comforted, and induced to devise and labour how to bring their desires to pass; and to make some estimate what persons those are, to the intent the quantity of the danger may be weighed, the same may be compassed in those sorts either within the realm or without.

The first are such as are specially devoted to the Queen of Scots, or to the Lord Darley, by bond of blood and alliance; as, first, all the house of Lorrain and Guise for her part, and the Earl of Lennox and his wife, all such in Scotland as be of their blood, and have received displeasures by the Duke of Chatelherault and the Hamiltons. The second are all manner of persons, both in this realm and other countries, that are devoted to the authority of Rome, and mislike of the religion now received; and in these two sorts are the substance of them comprehended, that shall take comfort in this marriage.

Next therefore to be considered what perils and troubles these kind of men shall intend to this realm.

First, the general scope and mark of all their desires is, and always shall be, to bring the Queen of Scots to have the royal crown of this realm; and therefore, though the devisees may vary among themselves for the compassing hereof, according to the accidents of the times, and according to the impediments which they shall find by means of the Queen's Majesty's actions and governments, yet all their purposes, drifts, devises, and practices, shall wholly and only tend to make the Queen of Scots Queen of this realm, and to deprive our sovereign lady thereof; and in their proceedings, there are two manners to be considered, whereof the one is far worse than the other: the one is intended by them, that either from malicious blindness in religion, or for natural affection to the Queen of Scots, or the Lord Darley, do persuade themselves that the said Queen of Scots hath presently more right to the crown than our sovereign lady the Queen, of which sort be all their kindred on both sides, and all such as are devoted to popery, either in England, Scotland, Ireland, or elsewhere; the other is meant by them, which, with less malice, are persuaded that the Queen of Scots hath only right to be the next heir to succeed the Queen's Majesty and her issue, of which sort few are without the realm, but here within, and yet of them, not so many as are

Sends probatation of the measure, either by Maitland, Mary's  
Throckmorton ambassador, or by Randolph, her own resident in  
obstruct it. Scotland; in order to add more dignity to the farce

of the contrary; and from these two sorts shall the peril, devises, and practises proceed. From the first, which imagine the Queen of Scotts to have perpetually right, are to be looked for these perils. First, is it to be doubted the devil will infect some of them to imagine the hurt of the life of our dear sovereign lady, by such means as the devil shall suggest to them, although it is to be assuredly hoped, that Almighty God will, as he hath hitherto, graciously protect and preserve her from such dangers? Secondly, there will be attempted, by persuasions, by brutes, by rumours, and such like, to alienate the minds of good subjects from the Queen's Majesty, and to couniliate them to the Queen of Scotts, and on this behalf the frontiers and the North will be much solicited and laboured. Thirdly, there will be attempted causes of some tumults and rebellions, especially in the North toward Scotland, so as thereupon may follow some open enterprise set by violence. Fourthly, there will be, by the said Queen's council and friends, a new league made with France, or Spain, that shall be offensive to this realm, and a furtherance to their title. And as it is also very likely, that they will set a-foot as many practices as they can, both upon the frontiers and in Ireland, to occasion the Queen's Majesty to increase and continue her charge thereby, to retain her from being mighty or potent, and for the attempting of all these things, many devises will be imagined from time to time, and no negligence will therein appear.

From the second sort, which mean no other favour to the Queen of Scotts, but that she should succeed in title to the Queen's Majesty, is not much to be feared, but that they will content themselves to see not only the Queen's Majesty not to marry, and so to impeach it, but to hope, that the Queen of Scotts shall have issue, which they will think to be more pleaseable to all men, because thereby the crowns of England and Scotland shall be united in one, and thereby the occasion of war shall cease; with which persuasion many people may be seduced, and abused to incline themselves to the part of the Queen of Scotts.

The remedies against these perils.

#### A DUPLICAT.

4th of June 1565. Cott. Lib. Cal. B. 10. fol. 290. *A summary of the consultation and advice given by the Lords and others of the Privy Council. Collected out of the sundry and several speeches of the said counsellors.*

Lord Keeper,  
Lord Treasurer,  
    { Derby,  
Earls of { Bedford,  
          Leicester,  
Lord Admiral,  
Lord Chamberlain,

Mr. Comptroller,  
Mr. Vice Chamberlain,  
Mr. Secretary,  
Cave,  
Peter,  
Mason.

Questions propounded were these two:

1. First, what perils might ensue to the Queen's Majesty, or this realm, of the marriage betwixt the Queen of Scotts and the Lord Darnley.
2. What were meet to be done, to avoid or remedy the same.

#### To the First.

The perils being sundry, and very many, were reduced by some counsellors into only one.

1. *First*, That by this marriage, the Queen of Scotts (being not married), a great number in this realm not of the worst subjects might be alienated in their minds from their natural duties to Her Majesty, to depend upon the success of this marriage of Scotland, as a mean to establish the succession of both the crowns in the issue of the same marriage, and so favour all devises and practises that should tend to the advancement of the Queen of Scotts.

2. *Secondly*, That considering the chief foundation of them, which furthered the marriage of Lord Darnley, was laid upon the trust of such as were Papists, as the only means left to restore the religion of Rome, it was plainly to be seen, that both in this realm and Scotland, the Papists would most favour, maintain, and fortify this marriage of the Lord Darnley, and would, for furtherance of faction in religion, devise



which she chose to act, she appointed Sir Nicholas Throckmorton her ambassador extraordinary. She commanded him to declare, in the strongest terms, her dissatisfaction

all means and practices that could be within this realm, to disturb the estate of the Queen's Majesty, and the peace of the realm, and consequently to achieve their purposes by force rather than fail. By some other, these perils having indeed many branches, were reduced, though somewhat otherwise, into two sorts, and these were in nature such as they could not be easily severed the one from the other, but were knit and linked together naturally, for maintaining the one with the other. The first of these sorts of perils was, that, by this marriage with the Lord Darnley, there was a plain intention to further the pretended title of the Queen of Scots, not only to succeed the Queen's Majesty, as in her best amity she had professed, but that to occupy the Queen's estate, as when she was in power she did manifestly declare.

The second was, that hereby the Romish religion should be erected, and increased daily in this realm, and these two were thus knit together, that the furtherance and maintenance of the title staid in the furthering of the religion of Rome within this realm; and in like manner the furtherance of the same religion stood by the title, for otherwise the title had no foundation.

Proves of the first,) And to prove that the intention to advance the title to disturb the Queen's Majesty must needs ensue, was considered that always the intention and will of any person is most manifest when their power is greatest, and contrary when their power is small; then the intention and will of every person is covered and less seen. So as when the Queen of Scots power was greatest, by her marriage with the Dauphin of France, being afterwards French King, it manifestly appeared of what mind she and all her friends were, using then manifestly all the means that could be devised to impeach and dispossess the Queen's Majesty, first by writing and publishing herself in all countries Queen of England; by granting charters, patents, and commissions, with that style, and with the arms of England, both the French and Scots, which charters remain still undefaced; and, to prosecute it with effect, it is known what preparations of war were made, and sent into Scotland; and what other forces were assembled in foreign countries; yea, in what manner a shameful peace was made by the French with King Philip to employ all the forces of France to pursue all the matters by force, which by God's providence and the Queen's Majesty's contrary power, were repelled; and afterwards, by her husband's death, her fortune and power being changed, the intention began to hide itself, and although by the Scottish Queen's commissaries an accord was made at Edenbrough, to reform all those titles, and claims, and pretences, yet to this day, by delays and cavillations, the ratification of that treaty has been deferred. And so now, as soon as she shall feel her power, she will set the same again abroad, and by considering of such errors as were committed in the first, her friends and allies will amend the same, and proceed substantially to her purpose. By some it was thought plainly, that the peril was greater of this marriage with the Lord Darnley, being a subject of this realm, than with the mightiest Prince abroad, for by this, he being of this realm, and having for the cause of religion, and other respects, made a party here, should encrease by force with diminution of the power of the realm; in that whatsoever power he could make by the faction of the Papist, and other discontented persons here, should be as it were deducted out of the power of this realm; and by the marriage of a stranger, she could not be assured of any part here; so as by this marriage she should have a portion of her own power to serve her turn; and a small portion of adversaries at home in our own bowels, always seem more dangerous than treble the like abroad, whereof the examples are in our own stories many, that foreign powers never prevailed in this realm, but with the help of some at home. It was also remembered, that seeing how before this attempt of marriage, it is found, and manifestly seen, that in every corner of the realm, the faction that most favoureth the Scottish title is grown stout and bold, yea seen manifestly in this court, both in hall and chamber, it could not be but (except good heed were speedily given to it) by this marriage, and by the practice of the fautors thereof, the same faction would shortly increase and grow so great and dangerous, as the redress thereof would be almost desperate. And to this purpose it was remembered, how of late, in perusing of the substance of the justices of the peace, in all the countries of the realm, scanty a third was found fully assured to be trusted in the matter of religion, upon which only string the Queen of Scots title doth hang, and some doubt might be, that the friends of the Earl of Lennox, and his had more knowledge hereof than was thought, and thereby made avant now in Scotland, and their party was so great in England as the Queen's

with the step which Mary proposed to take; and at the same time to produce the determination of the privy-coun-

Majesty durst not attempt to contrary his marriage. And in this sort was the sum of the perils declared, being notwithstanding more largely and plainly set out, and made so apparent by many sure arguments, as no one of the council could deny them to be but many and very dangerous.

*Second Question.*

The question of this consultation was, what were meet to be done to avoid these perils, or else to divert the force thereof from hurting the realm; wherein there were a great number of particular devises propounded, and yet the more part of them was reduced by some into three heads.

1. The first thought necessary by all persons, as the only thing of the most moment and efficacy, to remedy all these perils, and many others, and such as without it no other remedy could be found sufficient, and that was to obtain that the Queen's Majesty would marry, and make therein no long delay.

2. The second was, to advance, establish, and fortify indeed the profession of religion, both in Scotland and in England, and so diminish, weaken, and feeble the contrary.

3. The third was, to proceed in sundry things, either to disappoint and break this intended marriage, or, at the least, thereby to procure the same not to be so hurtful to this realm as otherwise it will be.

The first of these three hath no particular rights in it, but an earnest and unfeigned desire and suite, with all humbleness, by prayer to Almighty God, and advice and council to the Queen's Majesty, that she would defer no more time from marriage, whereby the good subjects of the realm might stay their hearts, to depend upon her Majesty, and the issue of her body, without which no surety can be devised to ascertain any person of continuance of their families or posterities, to enjoy that which otherwise should come to them.

Second, Concerning the matters of religion, wherein both truth and policy were joined together, had these particulars.

First, whereas of late the adversaries of religion, in the realm, have taken occasion to comfort and increase their faction, both in England, Scotland, and abroad, with a rumour and expectation that the religion shall be shortly changed in this realm, by means that the bishops, by the Queen's Majesty's commandment, have of late dealt streightly with some persons of good religion, because they had forborn to wear certain apparel, and such like things; being more of form and accidents than of any substance, for that it is well known that her Majesty had no meaning to comfort the adversaries, but only to maintain an uniformity as well in things external, as in the substance, nor yet hath any intention to make any change of the religion, as it is established by laws. It was thought by all men very necessary, for the suppressing of the pride and arrogancy of the adversaries, indirectly hereby to notify, by her special letters to the two archbishops, that her former commandment was only to retain an uniformity, and not to give any occasion to any person to misjudge her Majesty, in the change of any part of religion, but that she did determine firmly to maintain the form of her religion, as it was established, and to punish such as did therein violate her laws. And in these points, some also wished that it might please her archbishops, that if they should see that the adversaries continued in taking occasion to fortify their faction, that in that case they should use a moderation therein until the next parliament, at which time, some good, uniform, and decent order might be devised and established for such ceremonies, so as both uniformity and gravity might be retained amongst the clergy.

The second means was, that the quondam bishops, and others, which had refused to acknowledge the Queen's Majesty's power over them, according to the law, and were of late dispersed in the plague time to sundry places abroad, where it is known they cease not to advance their faction, might be returned to the tower, or some other prison, where they might not have such liberty to seduce and inveigle the Queen's Majesty's subjects as they daily do.

The third means was, that where the bishops do complain that they dare not execute the ecclesiastical laws to the furtherance of religion, for fear of the premunire wherewith the judges and lawyers of the realm, being not best affected in religion, do threaten them, and in many cases lett not to pinch and deface them, that upon such cases opened, some convenient authority might be given them from the Queen's Majesty, to continue during her pleasure.

cil as an evidence that the sentiments of the nation were not different from her own. Not long after, she confined

The fourth was, that there were daily lewd, injudicious, and unlawful books in English brought from beyond seas, and are boldly received, read, and kept, and especially in the North, seducing of great numbers of good subjects, the like badness whereof was never suffered in any other Princess's time, and some streight order might be given to avoid the same, and that it might be considered by the judges, what manner of crime the same is, to maintain such books, made directly against her Majesty's authority, and maintaining a foreign power, contrary to the laws of the realm.

The fifth was, that where a great number of monks, fryars, and such lewd persons, are fled out of Scotland, and do serve in England, especially in the North, as curates of churches, and all such of them as are not found honest and conformable, may be banished out of the realm, for that it appeareth they do sow sedition in the realm, in many places, and now will increase their doings.

The sixth, where sundry having ecclesiastical livings, are on the other side the sea, and from thence maintain sedition in the realm; that livings may be better bestowed to the commodity of the realm, upon good subjects.

The seventh is, that the judges of the realm, having no small authority in this realm, in governance of all property of the realm, might be sworn to the Queen's Majesty, according to the laws of the realm, and so thereby they should for conscience sake maintain the Queen's Majesty's authority.

The particulars of the third intention to break and avoid this marriage, or to divert the perils.

First, To break this marriage, considering nothing can likely do it but force, or fear of force, it is thought by some that these means following might occasion the breach of the marriage.

1. That the Earl of Bedford repair to his charge.

2. That the works at Berwick be more advanced.

3. That the garrison be their increased.

4. That all the wardens put their frontiers in order with speed, to be ready at an hour's warning.

5. That some noble person, as the Duke of Norfolk, or the Earl of Salop, or such other, be sent into Yorkshire, to be Lieutenant-General in the North.

6. That preparations be made of a power, to be in readiness to serve, either at Berwick, or to invade Scotland.

7. That presently Lady Lennox be committed to some place, where she may be kept from giving or receiving intelligence.

8. That the Earl of Lennox and his son may be sent for, and required to be sent home by the Queen of Scots, according to the treaty; and if they shall not come, then to denounce to the Queen of Scots the breach of the treaty, and thereupon to enter with hostility; by which proceeding, hope is conceived (so the same be done in deeds and not in shews) that the marriage will be avoided, or at the least that it may be qualified from many perils; and whatsoever is to be done herein, is to be executed with speed, whilst she hath a party in Scotland that favoureth not the marriage, and before any league made by the Queen of Scots with France or Spain.

Some other allows well of all these proceedings, saving of proceeding to hostility; but all do agree in the rest, and also to these particularities following.

9. That the Earl's lands, upon his refusal, or his son's refusing, should be seized, and bestowed in gift or custody, as shall please her Majesty upon good subjects.

10. That all manifest favourers of the Earl, in the North, or elsewhere, be inquired for, and that they be, by sundry means, well looked to.

11. That enquiry be made in the North, who have the stewardship of the Queen's Majesty's lands there, and that no person, deserving mistrust, be suffered to have governance or rule of any of her subjects or lands in the North, but only to retain their fees, and more trusty persons have rule of the same people's lands.

12. That all frequent passages into this realm, to and from Scotland, be restrained to all Scottish men, saving such as have safe-conduct, or be especially recommended from Mr. Randolph, as favourers of the realm.

13. That some intelligence be used with such in Scotland, as favour not the marriage, and they comforted from time to time.

14. That the Queen's Majesty's household, chamber, and pensioners, be better seen unto, to avoid broad and uncomely speech used by sundry against the state of the realm.

the countess of Lennox as a prisoner, first in her house, and then sent her to the Tower.<sup>5</sup>

Intelligence of all this reached Scotland before the arrival of the English ambassador. In the first transports of her indignation, Mary resolved no longer to keep any measures with Elizabeth; and sent orders to Maitland, who accompanied Throckmorton, to return instantly to the English court, and in her name to declare to Elizabeth, that, after having been amused so long to so little purpose; after having been fooled, and imposed on so grossly by her artifices; she was now resolved to gratify her own inclination, and to ask no other consent but that of her own subjects, in the choice of a husband. Maitland, with his usual sagacity, foresaw all the effects of such a rash and angry message, and ventured rather to incur the displeasure of his mistress, by disobeying her commands, than to be made the instrument of tearing asunder so violently the few remaining ties which still linked together the two queens.<sup>6</sup>

Mary herself soon became sensible of her error. She received the English ambassador with respect; justified her own conduct with decency: and though unalterable in her resolution, she affected a wonderful solicitude to reconcile Elizabeth to the measure; and even pretended, out of complaisance towards her, to put off the consummation of the marriage for some months.<sup>7</sup> It is probable, however, that the want of the pope's dispensation, and the prospect of

15. That the younger son of the Earl of Lennox, Mr. Charles, be removed to some place where he may be forthcoming.

16. That considering the faction and title of the Queen of Scots hath now of long time received great favour, and continued, by the Queen's Majesty's favour herein to the Queen of Scots and her ministers, and the Lady Catherine, whom the said Queen of Scots accounted as a competitor unto her in presence of title, it may please the Queen's Majesty, by some exterior act to shew some remission of her displeasure to the Lady, and to the Earl of Hartford, that the Queen of Scots thereby may find some change, and her friends put in doubt of further proceeding therein.

17. That whosoever shall be Lieutenant in the North, Sir Ralph Sadler may accompany him.

18. That with speed the realm of Ireland may be committed to a new governor.

19. Finally, that these advices being considered by her Majesty, it may please her to choose which of them she liketh, and to put them in execution in deeds, and not to pass them over in consultations and speeches.

For it is to be assured, that her adversaries will use all means to put their intention in execution. Some by practice, some by force, when time shall serve, and no time can serve so well the Queen's Majesty to interrupt the perils as now at the first, before the Queen of Scots purposes be fully settled.

<sup>5</sup> Keith, App. 161.

<sup>6</sup> Ibid. 160.

<sup>7</sup> Ibid. 278.

gaining the consent of her own subjects, were the real motives of this delay.

Murray's  
aversion to  
Darnley. This consent Mary laboured with the utmost industry to obtain. The earl of Murray was the person in the kingdom, whose concurrence was of the greatest importance; but she had reason to fear that it would not be produced without extreme difficulty. From the time of Lennox's return into Scotland, Murray perceived that the queen's affection began gradually to be estranged from him. Darnley, Athol, Rizzio, all the court favourites combined against him. His ambitious spirit could not brook this diminution of his power, which his former services had so little merited. He retired into the country, and gave way to rivals with whom he was unable to contend.<sup>u</sup> The return of the earl of Bothwell, his avowed enemy, who had been accused of a design upon his life, and who had resided for some time in foreign countries, obliged him to attend to his own safety. No entreaty of the queen could persuade him to a reconciliation with that nobleman. He insisted on having him brought to a public trial, and prevailed, by his importunity, to have a day fixed for it. Bothwell durst not appear in opposition to a man, who came to the place of trial attended by five thousand of his followers on horseback. He was once more constrained to leave the kingdom; but, by the queen's command, the sentence of outlawry, which is incurred by non-appearance, was not pronounced against him.<sup>x</sup>

Mary, sensible at the same time of how much importance it was to gain a subject so powerful, and so popular as the earl of Murray, invited him back to court, and received him with many demonstrations of respect and confidence. At last she desired him to set an example to her other subjects by subscribing a paper, containing a formal approbation of her marriage with Darnley. Murray had many reasons to hesitate, and even to withhold his assent. Darnley had not only undermined his credit with the queen, but discovered, on every occasion, a rooted aversion

<sup>u</sup> Keith, 272. 274. App. 159.

<sup>x</sup> Ibid. App. 160.

to his person. By consenting to his elevation to the throne, he would give him such an accession of dignity and power, as no man willingly bestows on an enemy. The unhappy consequences which might follow upon a breach with England, were likewise of considerable weight with Murray. He had always openly preferred a confederacy with England, before the ancient alliance with France. By his means, chiefly, this change in the system of national politics had been brought about. A league with England had been established; and he could not think of sacrificing, to a rash and youthful passion, an alliance of so much utility to the kingdom; and which he and the other nobles were bound, by every obligation, to maintain.<sup>7</sup> Nor was the interest of religion forgotten on this occasion. Mary, though surrounded by Protestant counsellors, had found means to hold a dangerous correspondence with foreign Catholics. She had even courted the pope's protection, who had sent her a subsidy of eight thousand crowns.<sup>2</sup> Though Murray had hitherto endeavoured to bridle the zeal of the reformed clergy, and to set the queen's conduct in the most favourable light, yet her obstinate adherence to her own religion could not fail of alarming him, and by her resolution to marry a Papist, the hope of reclaiming her, by a union with a Protestant, was for ever cut off.<sup>3</sup> Each of these considerations had its influence on Murray, and all of them determined him to decline complying at that time with the queen's request.

May 14.

A convention of the nobles approves of the marriage.

The convention of nobles, which was assembled a few days after, discovered a greater disposition to gratify the queen. Many of them, without hesitation, expressed their approbation of the intended match; but as others were startled at the same dangers which had alarmed Murray, or were influenced by his example to refuse their consent, another convention was appointed at Perth, in order to deliberate more fully concerning this matter.<sup>b</sup>

<sup>7</sup> Keith, App. 169.

<sup>2</sup> Ibid. 295. Melv. 114.

<sup>b</sup> Keith, 283. Knox, 373.

<sup>3</sup> Keith, App. 160.

Meanwhile, Mary gave a public evidence of her own inclination, by conferring upon Darnley titles of honour peculiar to the royal family. The opposition she had hitherto met with, and the many contrivances employed to thwart and disappoint her inclination, produced their usual effect on her heart, they confirmed her passion, and increased its violence. The simplicity of that age imputed an affection so excessive to the influence of witchcraft.<sup>c</sup> It was owing, however, to no other charm than the irresistible power of youth and beauty over a young and tender heart. Darnley grew giddy with his prosperity. Flattered by the love of a queen, and the applause of many among her subjects, his natural haughtiness and insolence became almost insupportable, and he could no longer bear advice, far less contradiction. Lord Ruthven, happening to be the first person who informed him that Mary, in order to sooth Elizabeth, had delayed for some time creating him duke of Albany, he, in a frenzy of rage, drew his dagger, and attempted to stab him.<sup>d</sup> It required all Mary's attention to prevent his falling under that contempt to which such behaviour deservedly exposed him.

Mary's address in gaining her subjects. In no scene of her life was ever Mary's own address more remarkably displayed. Love sharpened her invention, and made her study every method of gaining her subjects. Many of the nobles she won by her address, and more by her promises. On some she bestowed lands, to others she gave new titles of honour.<sup>e</sup> She even condescended to court the Protestant clergy; and having invited three of their superintendants to Stirling, she declared, in strong terms, her resolution to protect their religion, expressed her willingness to be present at a conference upon the points in doctrine which were disputed between the Protestants and Papists, and went so far as to shew some desire to hear such of their preachers as were most remarkable for their moderation.<sup>f</sup> By these arts the queen gained wonderfully upon the people, who, unless their jealousy be raised by repeated injuries, are always

<sup>c</sup> Keith, 283.<sup>d</sup> Ibid. App. 160.<sup>e</sup> Keith, 283.<sup>f</sup> Knox, 373.

ready to view the actions of their sovereign with an indulgent eye.

On the other hand, Murray and his associates were plainly the dupes of Elizabeth's policy. She talked in so high a strain of her displeasure at the intended match; she treated lady Lennox with so much rigour; she wrote to the Scottish queen in such high terms; she recalled the earl of Lennox and his son in such a peremptory manner, and with such severe denunciations of her vengeance if they should presume to disobey;<sup>s</sup> that all these expressions of aversion fully persuaded them of her sincerity. This belief fortified their scruples with respect to the match, and encouraged them to oppose it. They began with forming among themselves bonds of confederacy and mutual defence; they entered into a secret correspondence with the English resident, in order to secure Elizabeth's assistance when it should become needful;<sup>h</sup> they endeavoured to fill the nation with such apprehensions of danger, as might counterbalance the influence of those arts which the queen had employed.

Schemes of Darnley and Murray against each other. Besides these intrigues, there were secretly carried on, by both parties, dark designs of a more criminal nature, and more suited to the spirit of the age.

Darnley, impatient of that opposition, which he imputed wholly to Murray, and resolving at any rate to get rid of such a powerful enemy, formed a plot to assassinate him, during the meeting of the convention at Perth. Murray, on his part, despairing of preventing the marriage by any other means, had, together with the duke of Chatelherault and the earl of Argyll, concerted measures for seizing Darnley, and carrying him a prisoner into England.

If either of these conspiracies had taken effect, this convention might have been attended with consequences extremely tragical; but both were rendered abortive, by the vigilance or good fortune of those against whom they were formed. Murray, being warned of his danger by some retainers to the court, who still favoured his interest, avoid-

<sup>s</sup> Keith, 285, 286.

<sup>h</sup> Ibid. 289. 292. 298.



ed the blow by not going to Perth. Mary, receiving intelligence of Murray's enterprise, retired with the utmost expedition, along with Darnley, to the other side of Forth. Conscious, on both sides, of guilt, and inflamed with resentment, it was impossible they could either forget the violence which themselves had meditated, or forgive the injuries intended against them. From that moment all hope of reconciliation was at an end, and their mutual enmity burst out with every symptom of implacable hatred.<sup>1</sup>

<sup>1</sup> The reality of these two opposite conspiracies has given occasion to many disputes and much contradiction. Some deny that any design was formed against the life of Murray; others call in question the truth of the conspiracy against Darnley. There seems, however, to be plausible reasons for believing that there is some foundation for what has been asserted with regard to both; though the zeal and credulity of party-writers have added to each many exaggerated circumstances. The following arguments render it probable that some violence was intended against Murray:—

I. 1. This is positively asserted by Buchanan, 341. 2. The English resident writes to Cecil, that Murray was assuredly informed that a design was formed of murdering him at Perth, and mentions various circumstances concerning the manner in which the crime was to be committed. If the whole had been a fiction of his own, or of Murray, it is impossible that he could have written in this strain to such a discerning minister. Keith, 287. 3. Murray himself constantly and publicly persisted in affirming that such a design was formed against his life. Keith, App. 108. He was required by the queen to transmit in writing an account of the conspiracy which he pretended had been formed against his life. This he did accordingly; but "when it was brought to her majesty by her servants sent for that purpose, it appears *de* her highness and her council, that this purgation in that behalf was not so sufficient as the matter required." Keith, App. 109. He was therefore summoned to appear within three days before the queen in Holyrood-house; and, in order to encourage him to do so, a safe conduct was offered to him. *Ibid.* Though he had once consented to appear, he afterward declined to do so. But whoever considers Murray's situation, and the character of those who directed Mary's councils at that time, will hardly deem it a decisive proof of his guilt, that he did not choose to risk his person on such security. 4. The furious passions of Darnley, the fierceness of his resentment, which scrupled at no violence, and the manners of the age, render the imputations of such a crime less improbable.

II. That Murray and his associates had resolved to seize Darnley in his return from Perth, appears with still greater certainty; 1. From the express testimony of Melvil, 112.; although Buchanan, p. 341. and Knox, p. 377. affect, without reason, to represent this as an idle rumour. 2. The question was put to Randolph, Whether the governor of Berwick would receive Lennox and his son, if they were delivered at that place? His answer was, "that they would not refuse their own, i. e. their own subjects in whatsoever sort they came unto us, i. e. whether they returned to England voluntarily, as they had been required, or were brought thither by force." This plainly shews, that some such design was in hand, and Randolph did not discourage it by the answer which he gave. Keith, 290. 3. The precipitation with which the queen retired, and the reason she gave for this sudden flight, are mentioned by Randolph. Keith, 291. 4. A great part of the Scottish nobles, and among these the earls of Argyll and Rothers, who were themselves privy to the design, assert the reality of the conspiracy. Good. vol. ii. 358.

All these circumstances rendered the truth of both conspiracies probable. But we may observe how far this proof, though drawn from public records, falls short, on both sides, of legal and formal evidence. Buchanan and Randolph, in their accounts of the conspiracy against Murray, differ widely in almost every circumstance. The accounts of the attempt upon Darnley are not more consistent. Melvil alleges, that the design of the conspirators was to carry Darnley a prisoner into England; the proposal made to Randolph agrees with this. Randolph says, that they intended to carry the queen to St. Andrew's and Darnley to Castle Campbell. The lords, in their declaration, affirm the design of the conspirators to have been to murder Darnley and his father,

Mary summons her vassals to take arms against Murray. On Mary's return to Edinburgh, she summoned her vassals by proclamation, and solicited them by her letters, to repair thither in arms, for the protection of her person against her foreign and domestic enemies.<sup>k</sup> She was obeyed with all the promptness and alacrity with which subjects run to defend a mild and popular administration. This popularity, however, she owed in a great measure to Murray, who had directed her administration with great prudence. But the crime of opposing her marriage obliterated the memory of his former services; and Mary, impatient of contradiction, and apt to consider those who disputed her will, as enemies to her person, determined to let him feel the whole weight of her vengeance. For this purpose she summoned him to appear before her upon a short warning, to answer to such things as should be laid to his charge.<sup>l</sup> At this very time, Murray, and the lords who adhered to him, were assembled at Stirling, to deliberate what course they should hold in such a difficult conjuncture. But the current of popular favour ran so strongly against them, and notwithstanding some fears and jealousies, there prevailed in the nation such a general disposition to gratify the queen in a matter which so nearly concerned her, that, without coming to any other conclusion, than to implore the queen of England's protection, they put an end to their ineffectual consultations, and returned every man to his own house.

Together with the discovery of the weakness of her enemies, the confluence of her subjects from all corners of the kingdom afforded Mary an agreeable proof of her own strength. While the queen was in this prosperous situation,

to confine the queen in Lochleven during life, and to usurp the government. To believe implicitly whatever they find in an ancient paper, is a folly to which, in every age, antiquarians are extremely prone. Ancient papers, however, often contain no more than the slanders of a party, and the lie of the day. The declaration of the nobles referred to, is of this kind; it is plainly rancorous, and written in the very heat of faction. Many things asserted in it, are evidently false or exaggerated. Let Murray and his confederates be as ambitious as we can suppose, they must have had some pretences, and plausible ones too, before they could venture to imprison their sovereign for life, and to seize the reins of government; but, at that time, the Queen's conduct had afforded no colourable excuse for proceeding to such extremities. It is likewise remarkable, that in all the proclamations against Murray, of which so many are published in Keith, App. 108, &c. neither the violent attempt upon Darnley, nor that which he is alleged to have formed against the queen herself, are ever once mentioned.

<sup>k</sup> Keith, 298.

<sup>l</sup> Ibid. App. 108.

she determined to bring to a period an affair which had so long engrossed her heart and occupied her attention. On the 29th of July, she married lord Darnley. The ceremony was performed in the queen's chapel, according to the rites of the Romish church; the pope's bull, dispensing with their marriage, having been previously obtained.<sup>m</sup> She issued at the same time proclamations, conferring the title of king of the Scots upon her husband, and commanding that henceforth all writs at law should run in the joint names of king and queen.<sup>n</sup>

<sup>m</sup> Keith, 307.

<sup>n</sup> Anderson, i. 33.

*Randolph to the Earl of Leicester, from Edinburgh, the 31st of July, 1565.*

May it please your Lordship, I have received your Lordship's letter by my servant, sufficient testimony of your Lordship's favour towards me, whereof I think myself always so assured, that what other mishap soever befall me, I have enough to comfort myself with; though I have not at this time received neither according to the need I stand, nor the necessity of the service that I am employed in, I will rather pass it, as I may with patience, than trouble your Lordship to be farther suiter for me, when there is so little hope that any good will be done for me. I doubt not but your Lordship hath heard by such information as I have given from hence, what the present state of this country is, how this Queen is now become a married wife, and her husband, the self-same day of his marriage, made a King. In their desires, hitherto, they have found so much to their contentment, that if the rest succeed and prosper accordingly, they may think themselves much happier than there is appearance, that they shall be; so many discontented minds, so much misliking of the subjects to have these matters thus ordered, and in this sort to be brought to pass, I never heard of any marriage; so little hope, so little comfort as men do talk was never seen, at any time, when men should most have shewed themselves to rejoice, if that consideration of her own honour and well of her country had been had as appertained in so weighty a case. This is now their fear, the overthrow of religion, the breach of amitie with the Queen's Majesty, and the destruction of as many of the nobility as she hath misliking of, or that he liketh to pitch a quarrel unto. To see all these inconveniencys approaching, there are a good number that may sooner lament with themselves and complain to their neighbours, than be able to find remedy to help them; some attempt with all the force they have, but are too weak to do any good; what is required otherways, or what means there is made, your Lordship knoweth; what will be answered, or what will be done therein, we are in great doubt, and though your intent be never so good unto us, yet do we so much fear your delay, that our ruin shall prevent your support when council is once taken. Nothing so needful as speedy execution. Upon the Queen's Majesty we wholly depend; in her Majesty's hands it standeth to save our lives, or to suffer us to perish; greater honour her Majesty cannot have, than in that which lieth in her Majesty's power to do for us; the sums are not great, the numbers of men are not many that we desire; many will dayly be found, tho' this will be some charge; men grow dayly, though, at this time, I think her Majesty shall lose but few. Her friends here being once taken away, where will her Majesty find the like? I speak least of that which I think is most earnestly intended by this Queen, and her husband, when by him it was lately said, that he cared more for the Papists in England, than he did for the Protestants in Scotland; if therefore his hopes be so great in the Papists of England, what may your Lordship believe that he thinketh of the Protestants there; for his birth, for his nurritour, for the honour he hath to be of kine to the Queen my mistress, if in preferring those that are the Queen's Majesties worst subjects to those that are her best, he declareth what mind he beareth to the Queen's Majesty's self, any man may say it is slenderly rewarded, and his duty evil forgotten. He would now seem to be indifferent to both the religions, she to use her mass, and he to come sometimes to the preaching: they were married with all the solemnities of the Popish time, saving that he heard not the mass; his speech and talk argueth his mind, and

Nothing can be a stronger proof of the violence of Mary's love, or the weakness of her councils, than this last step. Whether she had any right to choose a husband without

yet would he fain seem to the world that he were of some religion; his words to all men, against whom he conceiveth any displeasure how unjust soever it be, so proud and spiteful, that rather he seemeth a monarch of the world, than he that, not long since, we have seen and known the Lord Darnley; he looketh now for reverence of many that have little will to give it him; and some there are that do give it, that think him little worth of it. All honour that may be attributed unto any man by a wife, he hath it wholly and fully; all praises that may be spoken of him he lacketh not from herself; all dignities that she can endure him with, which are already given and granted; no man pleaseth her that contenteth not him; and what may I say more, she hath given over to him her whole will, to be ruled and guided as himself best liketh; she can as much prevail with him in any thing that is against his will, as your Lordship may with me to persuade that I should hang myself: this last dignity out of hand to have been proclaimed King, she would have it deferred untill it were agreed by parliament, or he had been himself twenty-one years of age, that things done in his name might have the better authority. He would, in no case, have it deferred one day, and either then or never; whereupon this doubt has risen among our men of law, whether she, being clad with a husband, and her husband not twenty-one years, any thing without Parliament can be of strength that is done between them: upon Saturday at afternoon these matters were long in debating. And before they were well resolved upon, at nine hours at night, by three heralds, at sound of the trumpet, he was proclaimed King. This was the night before the marriage; this day, Monday, at twelve of the clock, the lords, all that were in the town, were present at the proclaiming of him again, where no man said so much as Amen, saving his father, that cried out aloud, God save his Queen! The manner of the marriage was in this sort. Upon Sunday in the morning, between five and six, she was conveyed by divers of her nobles to the chapell; she had upon her back the great mourning gown of black, with the great wide mourning hood, not unlike unto that which she wore the doulfull day of the burial of her husband: she was led into the chapell by the Earl of Lennox and Athol, and there was she left untill her husband came, who also was conveyed by the same lords: the minister priests, two, do there receive them; the bands are asked the third time, and an instrument taken by a notour that no man said against them, or alledged any cause why the marriage might not proceed. The words were spoken, the rings, which were three, the middle a rich diamond, were put upon her finger; they kneel together, and many prayers said over them, she tarrieth out the mass, and he taketh a kiss, and leaveth her there, and went to her chamber, whither within a space she followeth; and being required, according to the solemnity, to cast off her cares and leave aside those sorrowful garments, and give herself to a more pleasant life, after some pretty refusal, more I believe for manner sake than grief of heart, she suffered them that stood by, every man that could approach, to take out a pin, and so being committed to her ladies, changed her garments, but went not to bed, to signify to the world that it was not lust that moved them to marry, but only the necessity of her country, not, if God will, long to leave it destitute of an heir. Suspicious men, or such as are given of all things to make the worst, would that it should be believed, that they knew each other before that they came there; I would not that your Lordship should so believe it, the likelihoods are so great to the contrary, that if it were possible to see such an act done I would not believe it. After the marriage followeth commonly great cheer and dancing: to their dinner they were conveyed by the whole nobility; the trumpets sound; a largess cried; money thrown about the house in great abundance, to such as were happy to get any part; they dine both at one table, she upon the upper hand; there serve her these Earls Athole sewer, Morton carver, Craufoord cup-bearer; these serve him in like offices, Earls Eglington, Casels, and Glencairn. After dinner they danced awhile, and then retired themselves till the hour of supper; and as they dined so do they sup; some dancing there was, and so they go to bed. Of all this I have written to your Lordship, I am not oculatus testis to this, but of the verity your Lordship shall not need to doubt, howsoever I came by it. I was sent for to have been at the supper, but like a currish or uncourtly carle I refused to be there; and yet that which your Lordship may think might move me much, to have had the sight of my mistress, of whom these eighteen days by just account I got not a sight. I am, my Lord, taken by all that sort as a very evil person, which in my heart I do well allow, and like of myself the better, for yet can I

consent of parliament, was, in that age, a matter of some dispute;<sup>o</sup> that she had no right to confer upon him, by her private authority, the title and dignity of king, or by a simple proclamation to raise her husband to be the master of her people, seems to be beyond all doubt. Francis II. indeed, bore the same title. It was not, however, the gift of the queen, but of the nation; and the consent of parliament was obtained, before he ventured to assume it. Darnley's condition, as a subject, rendered it still more necessary to have the concurrence of the supreme council in his favour. Such a violent and unprecedented stretch of prerogative, as the substituting a proclamation in place of an act of parliament, might have justly alarmed the nation. But at that time the queen possessed so entirely the confidence of her subjects, that, notwithstanding all the clamours of the malecontents, no symptoms of general discontent appeared on that account.

Even amidst that scene of joy which always accompanies successful love, Mary did not suffer the course of her vengeance against the malecontent nobles to be interrupted. Three days after the marriage, Murray was again summoned to court, under the severest penalties, and, upon his non-appearance, the rigour of justice took place, and he was declared an outlaw.<sup>p</sup> At the same time the queen set at liberty lord Gordon, who, ever since his father's insurrection in the year 1562, had been detained a prisoner; she recalled the earl of Sutherland, who, on account of his concern in that conspiracy, had fled into Flanders; and she permitted Bothwell to return again into Scotland. The first and last of these were among the most powerful subjects in the kingdom, and all of them animated with implacable hatred to Murray, whom they deemed the enemy of their families and the author of their own sufferings. This

not find either honest or good that liketh their doings. I leave at this time further to trouble your Lordship, craving pardon for my long silence, I have more ado than I am able to discharge, I walk now more abroad by night than by day, and the day too little to discharge myself of that which I conceive, or receive in the night. As your Lordship, I am sure, is partaker of such letters as I write to Mr. Secretary, so that I trust that he shall be to this, to save of a little labour, to write the same again, most humbly I take my leave at Edinburgh, the last day of July, 1565.

<sup>o</sup> Buchan. 341.

<sup>p</sup> Keith, 309, 310.

common hatred became the foundation of the strictest union with the queen, and gained them an ascendant over all her councils. Murray himself considered this confederacy with his avowed enemies, as a more certain indication than any measure she had yet taken, of her inexorable resentment.

Marches against Murray and his associates. The malecontents had not yet openly taken up arms.<sup>q</sup> But the queen having ordered her subjects to march against them, they were driven to the last extremity. They found themselves unable to make head against the numerous forces which Mary had assembled; and fled into Argyleshire, in expectation of aid from Elizabeth, to whom they had secretly dispatched a messenger, in order to implore her immediate assistance.<sup>r</sup>

Elizabeth interposes in their favour. Meanwhile Elizabeth endeavoured to embarrass Mary, by a new declaration of disgust at her conduct. She blamed both her choice of lord Darnley, and the precipitation with which she had concluded the marriage. She required Lennox and Darnley, whom she still called her subjects, to return into England; and at the same time she warmly interceded in behalf of Murray, whose behaviour she represented to be not only innocent but laudable. This message, so mortifying to the pride of the queen, and so full of contempt for her husband, was rendered still more insupportable by the petulant and saucy demeanour of Tamworth, the person who delivered it.<sup>s</sup> Mary vindicated her own conduct with warmth, but with great strength of reason: and rejected the intercession in behalf of Murray, not without signs of resentment at Elizabeth's pretending to intermeddle in the internal government of her kingdom.<sup>t</sup>

She did not, on that account, intermit in the least the ardour with which she pursued Murray and his adherents.<sup>u</sup>

<sup>q</sup> After their fruitless consultation in Stirling, the lords retired to their own houses. Keith, 304. Murray was still at St. Andrew's on July 22. Keith, 306. By the places of rendezvous, appointed for the inhabitants of the different counties, August 4, it appears that the queen's intention was to march into Fife, the county in which Murray, Rothes, Kirkaldy, and other chiefs of the malecontents, resided. Keith, 310. Their flight into the west, Keith, 312, prevented this expedition, and the former rendezvous was altered. Keith, 310.

<sup>r</sup> Keith, 312. Knox, 380.

<sup>s</sup> Camd. 398.

<sup>t</sup> Keith, App. 99.

<sup>u</sup> The most considerable persons who joined Murray were, the duke of Chatelherault,

They now appeared openly in arms; and having received a small supply in money from Elizabeth,\* were endeavouring to raise their followers in the western counties. But Mary's vigilance hindered them from assembling in any considerable body. All her military operations at that time were concerted with wisdom, executed with vigour, and attended with success. In order to encourage her troops, she herself marched along with them, rode with loaded pistols,<sup>†</sup> and endured all the fatigues of war with admirable fortitude. Her alacrity inspired her forces with an invincible resolution, which, together with their superiority in number, deterred the malecontents from facing them in the field; but, having artfully passed the queen's army, they marched with great rapidity to Edinburgh, and endeavoured to rouse the inhabitants of that city to arms. The queen did not

Aug. 31. suffer them to remain long unmolested; and, on her approach, they were forced to abandon that place, and retire in confusion towards the western borders.<sup>‡</sup>

They are As it was uncertain, for some time, what route they obliged to retire into had taken, Mary employed that interval in providing for the security of the counties in the heart of England. She seized the places of strength which belonged to the rebels; and obliged the considerable barons in those shires which she most suspected, to join in associations for her defence.<sup>§</sup> Having thus left all the country behind her in tranquillity, she, with an army eighteen thousand strong, marched towards Dumfries, where the rebels then were. During their retreat, they had sent letters to the queen, from almost every place where they halted, full of submission, and containing various overtures towards an accommodation. But Mary, who determined not to let slip such a favourable opportunity of crushing the mutinous spirit of her subjects, rejected them with disdain. As she advanced, the malecontents retired: and having received

the earls of Argyll, Glencairn, Rothes, lord Boyd and Ochiltree; the lairds of Grange, Cunninghamhead, Balcomie, Carmylie, Lawers, Bar, Dreghorn, Pitarrow, comptroller, and the tutor of Pitcur. Knox, 382.

\* Knox, 380.

† Keith, App. 164.

‡ Ibid. §15.

§ Ibid. 113.

no effectual aid from Elizabeth,<sup>b</sup> they despaired of any other means of safety, fled into England, and put themselves under the protection of the earl of Bedford, warden of the marches.

Oct. 20.

<sup>b</sup> *Letter of the Earl of Bedford to the Honourable Sir William Cecil, Knt. her Majesty's Principal Secretary, and one of her Highness's Privy Council.*

2nd of Sept. 1565. Paper Office, from the original.

After my hearty commendations, this day at noon Captain Brickwell came hither, who brought with him the Queen's Majesty's letters, containing her full resolution, and pleasure for all things he had in charge to give information of, saving that for the aid of the Lords of the Congregation, there is nothing determined, or at the least expressed in the same letters, and for that purpose received I this morning a letter subscribed by the Duke, the Earl of Murray, Glencarne, and others, craving to be holpen with three hundred harquebusyers out of this garrison, for their better defence. And albeit, I know right well the goodness of their cause, and the Queen's Majesty our sovereign's good will, and care towards them; and do also understand that it were very requisite to have them holpen, for that now their cause is to be in this manner decided, and that it now standeth upon their utter overthrow and undoing, since the Queen's party is at the least five thousand, and they not much above one thousand; besides that the Queen hath harquebusyers, and they have none, and do yet want the power that the Earl of Argyle should bring to them, who is not yet joined with theirs; I have thereupon thought good to pray you to be a means to learn her Majesty's pleasure in this behalf, what, and how, I shall answer them, or otherwise deal in this matter, now at this their extreme necessity. For, on the one side, lyeth thereupon their utter ruin and overthrow, and the miserable subversion of religion there; and, on the other side, to adventure so great and weighty a matter as this is (albeit it be but of a few soldiers, for a small time); without good waraunte, and thereby to bring, peradventure, upon our heads some wilful warrs, and in the mean time to leave the place unfurnished (having in the whole but eight hundred), without any grant of new supply for the same; and by that means also, to leave the marches here the more subject to invasion, while in the mean season new helps are preparing; to this know not I what to say or how to do. And so much more I marvel thereof, as that having so many times written touching this matter, no resolute determination cometh. And so between the writing and looking for answer, the occasion cannot pass, but must needs proceed and have success. God turn it to his glory; but surely all men's reason hath great cause to fear it. Such a push it is now come unto, as this little supply would do much good to advance God's honour, to continue her Majesty's great and careful memory of them, and to preserve a great many noblemen and gentlemen. If it be not now helpen it is gone for ever. Your good will and affection that way I do nothing mistrust, and herein shall take such good advice as by any means I can. I received from these lords two papers inclosed, the effect whereof shall appear unto you. For those matters that Captain Brickwell brought, I shall answer you by my next, and herewith send you two letters from Mr. Randolph, both received this day. By him you shall hear that the Protestants are retired from Edenborough, further off. So I hope your resolution for their aid shall come in time, if it come with speed, for that they will not now so presently need them; and so with my hearty thanks commit you to God. From Berwick this 2nd of Sept. 1565.

*The Queen to the Earl of Bedford.*

12th Sept. 1565. Paper Office.

Upon the advertizements lately received from you, with such other things as came also from the Lord Scrope and Thomas Randolph, and upon the whole matter well considered, we have thus determined. We will, with all the speed that we can, send to you 3000*l.* to be thus used. If you shall certainly understand that the Earl of Murray hath such want of money, as the impresting to him of 1000*l.* might stand him in stead for the help to defend himself, you shall presently let him secretly to understand, that you will, as of yourself, let him have so much, and so we will that you let him have, in the most secret sort that you can, when the said sum shall come to you, or if you can, by any good means advance him some part thereof beforehand.

The other 2000*l.* you shall cause to be kept whole, unspent, if it be not that you shall see necessary cause to imprest some part thereof to the now numbers of the six hundred footmen and one hundred horsemen; or to the casting out of wages, of such work-



Nothing which Bedford's personal friendship for Murray could supply, was wanting to render their retreat agreeable. But Elizabeth herself treated them with extreme neglect. She had fully gained her end, and, by their means, had excited such discord and jealousies among the Scots, as would, in all probability, long distract and weaken Mary's councils. Her business now was to save appearances, and to justify herself with the ministers of France and Spain, who accused her of fomenting the troubles of Scotland by her intrigues. The expedient she contrived for her vindication strongly displays her own character, and the wretched condition of exiles, who are obliged to depend on a foreign prince. Murray, and Hamilton, abbot of Kilwinning, being appointed by the other fugitives to wait on Elizabeth, instead of meeting with that welcome reception which was due to men, who out of con-

men, as by sickness, or otherwise, ought to be discharged. And where we perceive, by your sundry letters, the earnest request of the said Earl of Murray and his associates, that they might have, at the least, three hundred of our soldiers to aid them. And that you also write, that tho' we would not command them to give you aid, yet if we would wink at your doing herein, and seem to blame you for attempting such things, as you with the help of others should bring about, you doubt not but that things would do well: you shall understand for a truth, that we have no intention, for many respects, to maintain any other Prince's subjects, to take arms against their sovereign; neither would we willingly do any thing to give occasion to make wars betwixt us and that Prince, which has caused us to forbear, hitherto, to give you any power to let them be aided with any men. But now, considering we take it, that they are pursued, notwithstanding their humble submission and offer to be ordered and tried by law and justice, which being refused to them, they are retired to Dumfries, a place near our west marches, as it seemeth there to defend themselves, and adding thereunto the good intention that presently the French King pretendeth, by sending one of his to join with some one of ours, and jointly to treat with that Queen, and to induce her to forbear this manner of violent and rigorous proceedings against her subjects, for which purpose the French ambassador here with us has lately written to that Queen, whereof answer is daily looked for: to the intent in the mean time the said lords should not be oppressed and ruined for lack of some help to defend them, we are content and do authorize, if you shall see it necessary for their defence, to let them (as of your own adventure, and without notifying that you have any direction therein from us) to have the number of three hundred soldiers, to be taken, either in whole bands, or to be drawn out of all your bands, as you shall see cause. And to cover the matter the better, you shall send these numbers to Carlisle, as to be laid there in garrison, to defend that march, now in this time that such powers are on the other part drawing to those frontiers, and so from thence as you shall see cause to direct of, the same numbers, or any of them, may most covertly repair to the said lords, when you shall expressly advertize, that you send them that aid only for their defence, and not therewith to make war against the Queen, or do any thing that may offend her person; wherein you shall so precisely deal with them, that they may perceive your care to be such as if it should otherwise appear, your danger should be so great, as all the friends you have could not be able to save you towards us. And so we assure you our conscience moveth us to charge you so to proceed with them; for otherwise than to preserve them from ruin, we do not yield to give them aid of money or men. And yet we would not that either of these were known to be our act, but rather to be covered with your own desire and attempt.

fidence in her promises, and in order to forward her designs, had hazarded their lives and fortunes, could not even obtain the favour of an audience, until they had meanly consented to acknowledge, in the presence of the French and Spanish ambassadors, that Elizabeth had given them no encouragement to take arms. No sooner did they make this declaration, than she astonished them with this reply: "You have declared the truth; I am far from setting an example of rebellion to my own subjects, by countenancing those who rebel against their lawful prince. The treason of which you have been guilty is detestable; and as traitors I banish you from my presence."<sup>c</sup> Notwithstanding this scene of farce and of falsehood, so dishonourable to all the persons who acted a part in it, Elizabeth permitted the malecontents peaceably to reside in her dominions, supplied them secretly with money, and renewed her intercession with the Scottish queen in their favour.<sup>d</sup>

The advantage she had gained over them did not satisfy Mary; she resolved to follow the blow, and to prevent a party, which she dreaded, from ever recovering any footing in the nation. With this view, she called a meeting of parliament; and, in order that a sentence of forfeiture might be legally pronounced against the banished lords, she summoned them, by public proclamation to appear before it.<sup>e</sup>

The duke of Chatelherault, on his humble application, obtained a separate pardon; but not without difficulty, as the king violently opposed it. He was obliged, however, to leave the kingdom, and to reside for some time in France.<sup>f</sup>

The numerous forces which Mary brought into the field, the vigour with which she acted, and the length of time she kept them in arms, resemble the efforts of a prince with revenues much more considerable than those which she possessed. But armies were then levied and maintained

Dec. 1. by princes at small charge. The vassal followed his superior, and the superior attended the monarch, at his own expense. Six hundred horsemen, however, and

<sup>c</sup> Melv. 112.

<sup>d</sup> Knox, 389.

<sup>e</sup> Keith, 320.

<sup>f</sup> Knox, 389.

three companies of foot, besides her guards, received regular pay from the queen. This extraordinary charge, together with the disbursements occasioned by her marriage, exhausted a treasury which was far from being rich. In this exigency, many devices were fallen upon for raising money. Fines were levied on the towns of St. Andrew's, Perth, and Dundee, which were suspected of favouring the malecontents. An unusual tax was imposed on the boroughs throughout the kingdom; and a great sum was demanded of the citizens of Edinburgh, by way of loan. This unprecedented exaction alarmed the citizens. They had recourse to delays, and started difficulties, in order to evade it. These Mary construed to be acts of avowed disobedience, and instantly committed several of them to prison. But this severity did not subdue the undaunted spirit of liberty which prevailed among the inhabitants. The queen was obliged to mortgage to the city the *superiority* of the town of Leith, by which she obtained a considerable sum of money.<sup>g</sup> The thirds of ecclesiastical benefices proved another source whence the queen derived some supply. About this time we find the Protestant clergy complaining more bitterly than ever of their poverty. The army, it is probable, exhausted a great part of that fund which was appropriated for their maintenance.<sup>h</sup>

**Church** The assemblies of the church were not unconcerned  
**affairs.** spectators of the commotions of this turbulent year. In the meeting held the 24th of June, previous to the queen's marriage, several of the malecontent nobles were present, and seem to have had great influence on its decisions. The high strain in which the assembly addressed the queen, can be imputed only to those fears and jealousies with regard to religion, which they endeavoured to infuse into the nation. The assembly complained, with some bitterness, of the stop which had been put to the progress of the reformation by the queen's arrival in Scotland; they required not only the total suppression of the Popish worship throughout the kingdom, but even in the queen's own

<sup>g</sup> Knox, 383. 386.

<sup>h</sup> Maitl. Hist. of Edinburgh, 27.

chapel; and, besides the legal establishment of the Protestant religion, they demanded that Mary herself should publicly embrace it. The queen, after some deliberation, replied, that neither her conscience nor her interest would permit her to take such a step. The former would for ever reproach her for a change which proceeded from no inward conviction; the latter would suffer by the offence which her apostacy must give to the king of France, and her allies on the continent.<sup>1</sup>

It is remarkable, that the prosperous situation of the queen's affairs during this year, began to work some change in favour of her religion. The earls of Lennox, Athol, and Cassils, openly attended mass; she herself afforded the Catholics a more avowed protection than formerly; and by her permission, some of the ancient monks ventured to preach publicly to the people.<sup>k</sup>

## BOOK IV.

1566. As the day appointed for the meeting of parliament  
 Mary's deliberations concerning the exiled nobles. approached, Mary and her ministers were employed in deliberating concerning the course which it was most proper to hold with regard to the exiled nobles. Many motives prompted her to set no bounds to the rigour of justice. The malecontents had laboured to defeat a scheme, which her interest conspired with her passions in rendering dear to her: they were the leaders of a party, whose friendship she had been obliged to court, while she held their principles in abhorrence; and they were firmly attached to a rival, whom she had good reason both to fear and to hate.

But, on the other hand, several weighty considerations might be urged. The noblemen, whose fate was in suspense, were among the most powerful subjects in the kingdom; their wealth great, their connexions extensive, and their adherents numerous. They were now at mercy, the

<sup>1</sup> Knox, 374. 376.

<sup>k</sup> Ibid. 389, 390.

object of compassion, and suing for pardon with the most humble submission.

In those circumstances, an act of clemency would exalt the queen's character, and appear no less splendid among foreigners, than acceptable to her own subjects. Mary herself, though highly incensed, was not inexorable; but the king's rage was implacable and unrelenting. They were solicited in behalf of the fugitives from various quarters. Morton, Ruthven, Maitland, and all who had been members of the Congregation, were not forgetful of their ancient union with Murray and his fellow-sufferers; nor neglectful of their safety which they deemed of great importance to the kingdom. Melvil, who at that time possessed the queen's confidence, seconded their solicitations. And Murray having stooped so low as to court Rizio, that favourite, who was desirous of securing his protection against the king, whose displeasure he had lately incurred, seconded the intercessions of his other friends with the whole of his influence.<sup>a</sup> The interposition of Sir Nicholas Throckmorton, who had lately been Elizabeth's ambassador in Scotland, in behalf of the exiles, was of more weight than all these, and attended with more success. Throckmorton, out of enmity to Cecil, had embarked deeply in all the intrigues which were carried on at the English court, in order to undermine the power and credit of that minister. He espoused, for this reason, the cause of the Scottish queen, towards whose title and pretensions the other was known to bear little favour; and ventured, in the present critical juncture, to write a letter to Mary, containing the most salutary advices with regard to her conduct. He recommended the pardoning of the earl of Murray and his associates, as a measure no less prudent than popular. "An action of this nature (says he), the pure effect of your majesty's generosity, will spread the fame of your lenity and moderation, and engage the English to look towards your accession to the throne, not only without prejudice, but with desire. By the same means, a perfect harmony will be restored among

<sup>a</sup> Melv. 125.

your own subjects, who, if any rupture should happen with England, will serve you with that grateful zeal which your clemency cannot fail of inspiring.”<sup>b</sup>

She resolves to treat them with clemency. These prudent remonstrances of Throkmorton, to which his reputation for wisdom, and known attachment to the queen, added great authority, made a deep impression on her spirit. Her courtiers cultivated this happy disposition, and prevailed on her, notwithstanding the king’s inflexible temper, to sacrifice her own private resentment to the intercession of her subjects and the wishes of her friends.<sup>c</sup> With this view, the parliament, which had been called to meet on the 4th of February, was prorogued to the 7th of April;<sup>d</sup> and in the mean time she was busy in considering the manner and form in which she should extend her favour to the lords who were under disgrace.

Is diverted from this resolution by the solicitation of France, and her zeal for Popery. Feb. 3. Though Mary discovered on this occasion a mind naturally prone to humanity and capable of forgiving, she wanted firmness, however, to resist the influence which was fatally employed to disappoint the effects of this amiable disposition. About this time, and at no great distance from each other, two envoys arrived from the French king. The former was intrusted with matters of mere ceremony alone; he congratulated the queen on her marriage, and invested the king with the ensigns of the order of St. Michael. The instructions of the latter, related to matters of more importance, and produced greater effects.<sup>e</sup>

An interview between Charles IX. and his sister the queen of Spain had been often proposed; and after many obstacles arising from the oppositions of political interest, was at last appointed at Bayonne. Catherine of Medicis accompanied her son; the duke of Alva attended his mistress. Amidst the scenes of public pomp and pleasure, which seemed to be the sole occupation of both courts, a scheme was formed, and measures concerted, for exterminating the Hugonots in France, the Protestants in the

<sup>b</sup> Melv. 119.<sup>c</sup> Ibid. 125.<sup>d</sup> Good. vol. i. 224.<sup>e</sup> Keith, 325. App. 167.

Low Countries, and for suppressing the reformation throughout all Europe.<sup>f</sup> The active policy of pope Pius IV. and the zeal of the cardinal of Lorrain, confirmed and encouraged dispositions so suitable to the Romish religion, and so beneficial to their own order.

It was an account of this holy league which the second French envoy brought to Mary, conjuring her at the same time, in the name of the king of France and the cardinal of Lorrain, not to restore the leaders of the Protestants in her kingdom to power and favour, at the very time when the Catholic princes were combined to destroy that sect in all the countries of Europe.<sup>g</sup>

Popery is a species of false religion, remarkable for the strong possession it takes of the heart. Contrived by men of deep insight in the human character, and improved by the experience and observation of many successive ages, it arrived at last to a degree of perfection which no former system of superstition had ever attained. There is no power in the understanding, and no passion in the heart, to which it does not present objects adapted to rouse and to interest them. Neither the love of pleasure which at that time prevailed in the court of France, nor the pursuits of ambition which occupied the court of Spain, had secured them from the dominion of bigotry. Laymen and courtiers were agitated with that furious and unmerciful zeal which is commonly considered as peculiar to ecclesiastics; and kings and ministers thought themselves bound in conscience to extirpate the Protestant doctrine. Mary herself was deeply tinctured with all the prejudices of Popery; a passionate attachment to that superstition is visible in every part of her character, and runs through all the scenes of her life: she was devoted too, with the utmost submission, to the princes of Lorrain her uncles; and had been accustomed from her infancy to listen to all their advices with a filial respect. The prospect of restoring the public exercise of her own religion, the pleasure of complying with her uncles, and the hopes of gratifying the

<sup>f</sup>Thuan. lib. 37.

<sup>g</sup>Melv. 126.

French monarch, whom the present situation of her affairs in England made it necessary to court, counterbalanced all the prudent considerations which had formerly weighed with her. She instantly joined the confederacy which had been formed for the destruction of the Protestants, and altered the whole plan of her conduct with regard to Murray and his adherents.<sup>h</sup>

To this fatal resolution may be imputed all the subsequent calamities of Mary's life. Ever since her return into Scotland, fortune may be said to have been propitious to her rather than adverse; and if her prosperity did not rise

<sup>h</sup> *Randolph to Cecil, from Edinburgh, 7th Feb. 1565-6.*

An original. My humble duty considered; what to write of the present state of the country I am so uncertain, by reason of the daily alterations of men's minds, that it maketh me much slower than otherwise I would. Within these few days there were some good hope, that this Queen would have shewed some favour towards the lords, and that Robert Melvin should have returned unto them with comfort upon some conditions. Since that time, there are come out of France Clernau by land, and Thorneton by sea; the one from the Cardinal, the other from the Bishop of Glasgow. Since which arrival neither can there be good word gotten, nor appearance of any good intended them, except that they be able to perswade the Queen's Majesty, our sovereign, to make her heir apparent to the crown of England. I write of this nothing less than I know that she hath spoken. And by all means that she thinketh the best doth travaile to bring it to pass. There is a band lately devised, in which the late Pope, the Emperor, the King of Spain, the Duke of Savoy, with divers princes of Italy, and the Queen-mother suspected to be of the same confederacy, to maintain Papistry throughout Christendom; this band was sent out of France by Thorneton, and is subscribed by this Queen, the copy thereof remaining with her, and the principal to be returned very shortlie, as I hear, by Mr. Stephen Willson, a fit minister for such a devilish devise; if the coppie hereof may be gotten, that shall be sent as I conveniently may. Monsieur Rambollet came to this town upon Monday, he spoke that night to the Queen and her husband, but not long; the next day he held long conferences with them both, but nothing came of any whereof they intreated. I cannot speak with any that hath any hope that there will be any good done for the lords by him, though it is said that he hath very good will to do so to the uttermost of his power. He is lodged near to the court, and liveth upon the Queen's charges. Upon Sunday the order is given, whereat means made to many to be present that day at the mass. Upon Candlemass-day there carried their candles, with the Queen, her husband, the Earle of Lennox and Earle Athole; divers other lords have been called together and required to be at the mass that day, some have promised, as Cassels, Montgomerie, Seton, Cathness. Others have refused, as Fleming, Levingston, Lindsay, Huntly, and Bothel; and of them all Bothel is the stoutest, but worst thought of; it was moved in council that mass should have been in St. Giles church, which I believe was rather to tempt men's minds, than intended indeed: She was of late minded again to send Robert Melvin to negotiate with such as she trusteth in amongst the Queen's Majesty's subjects, of whose good willis this way I trust that the bruit is greater than the truth, but in these matters, her Majesty is too wise not in time to be ware, and provide for the worst; some in that country are thought to be privie unto the bands and confederacie of which I have written, whereof I am sure there is some things, tho' perchance of all I have not heard the truth; in this court divers quarles, contentions, and debates, nothing so much sought as to maintain mischief and disorder. David yet retaineth still his place, not without hearty-grief to many, that see their sovereign guided chiefly by such a fellow; the Queen hath utterly refused to do any good to my Lord of Argyll, and it is said that shall be the first voyage that she shall make after she is delivered of being with child; the bruit is common that she is, but hardly believed of many, and of this, I can assure you, that there have of late appeared some tokens to the contrary.



to any great height, it had, however, suffered no considerable interruption. A thick and settled cloud of adversity, with few gleams of hope, and none of real enjoyment, covers the remainder of her days.

A parliament called to attain the exiled nobles;

The effects of the new system which Mary had adopted were soon visible. The time of the prorogation of parliament was shortened; and by a new proclamation, the 12th of March was fixed for its meeting.<sup>1</sup> Mary resolved, without any farther delay, to proceed to the attainder of the rebel lords, and at the same time determined to take some steps towards the re-establishment of the Romish religion in Scotland.<sup>k</sup> The lords of the articles were chosen, as usual, to prepare the business which was to come before the parliament. They were all persons in whom the queen could confide, and bent to promote her designs. The ruin of Murray and his party seemed now inevitable, and the danger of the reformed church imminent, when an event unexpectedly happened which saved both. If we regard either the barbarity of that age, when such acts of violence were common, or the mean condition of the unhappy person who suffered, the event is little remarkable; but if we reflect upon the

and prevented by the conspiracy against Rizzio.

Darnley loses the queen's affections.

circumstances with which it was attended, or upon the consequences which followed it, it appears extremely memorable; and the rise and progress of it deserve to be traced with great care.

Darnley's external accomplishments had excited that sudden and violent passion which raised him to the throne. But the qualities of his mind cor-

<sup>1</sup>Keith, 326.

<sup>k</sup> It is not on the authority of Knox alone, that we charge the queen with the design of re-establishing the Roman Catholic religion, or at least of exempting the professors of it from the rigour of those penal laws to which they were subjected. He indeed asserts, that the altars which would have been erected in the church of St. Giles, were already provided, 394. 1. Mary herself, in a letter to the archbishop of Glasgow, her ambassador in France, acknowledges, "that in that Parliament she intended to have done some good, with respect to restoring the old religion." Keith, 331. 2. The spiritual lords, i. e. the Popish ecclesiastics, had, by her authority, resumed their ancient place in that assembly. Ibid. 3. She had joined the confederacy at Bayonne. Keith, App. 167. 4. She allowed mass to be celebrated in different parts of the kingdom, ibid.; and declared that she would have mass free for all men that would hear it. Good, vol. i. 274. 5. Blackwood, who was furnished by the archbishop of Glasgow with materials for writing his *Martyre de Marie*, affirms, that the queen intended to have procured, in this parliament, if not the re-establishment of the Catholic religion, at least something for the ease of Catholics. Jebb, vol. ii. 204.

dant over the queen's councils. For this reason, nothing could be more mortifying to them, than the resolution which Mary had taken to treat the exiles with rigour. This they imputed to Rizio, who, after he had engaged to aid Murray with all his interest, was now the most active instrument in promoting the measures which were concerted for the ruin of that nobleman. This officious zeal completed the disgust which they had conceived against him, and inspired them with thoughts of vengeance, in no wise suitable to justice, to humanity, or their own dignity.

They combine in order to murder him. While they were ruminating upon their scheme, the king communicated his resolution to be avenged of Rizio to lord Ruthven, and implored his as-

sistance, and that of his friends, towards the execution of this design. Nothing could be more acceptable to them than this overture. They saw at once all the advantages they would reap, by the concurrence of such an associate. Their own private revenge upon Rizio would pass, they hoped, for an act of obedience to the king; and they did not despair of obtaining the restoration of their banished friends, and security for the Protestant religion, as the price of their compliance with his will.

But as Henry was no less fickle than rash, they hesitated for some time, and determined to advance no farther, without taking every possible precaution for their own safety. They did not, in the mean time, suffer the king's resentment to abate. Morton, who was inferior to no man of that intriguing age in all the arts of insinuation and address, took the young prince under his management. He wrought upon his ruling passion, ambition to obtain the matrimonial crown. He represented Rizio's credit with the queen to be the chief obstacle to his success in that demand. This minion alone, he said, possessed her confidence; and out of complaisance to him, her subjects, her nobility, and even her husband, were excluded from any participation of her secret councils. Under the appearance of a confidence merely political, he insinuated, and the king perhaps believed, that a familiarity of a quite different and very cri-

minal nature might be concealed.<sup>n</sup> Such various and complicated passions raged in the king's bosom with the utmost fury. He became more impatient than ever of any delay, and even threatened to strike the intended blow with his own hand. At last, preliminaries were settled on both sides, and articles for their mutual security agreed upon. The king engaged to prevent the attainder of the banished lords, to consent to their return into Scotland, to obtain for them an ample remission of all their crimes, and to support, to the utmost of his power, the religion which was now established in the kingdom. On their parts, they undertook to procure the crown matrimonial for Henry, to secure his right of succession, if the queen should die before him without issue, and to defend that right to the uttermost, against whatever person should presume to dispute it; and if either Rizio, or any other person, should happen to be killed in prosecuting the design, the king promised to acknowledge himself to be the author of the enterprise, and to protect those who were embarked in it.<sup>o</sup>

Nothing now remained but to concert the plan of operation, to choose the actors, and to assign them their parts in perpetrating this detestable crime.

Every circumstance here paints and characterizes manners and men of that age, and fills us with horror at both. The place chosen for committing such a deed was

<sup>n</sup> Of all our historians, Buchanan alone avowedly accuses Mary of a criminal love for Rizio, 340. 344. Knox slightly insinuates that such a suspicion was entertained, 391. Melvil, in a conversation with the queen, intimates that he was afraid her familiarity with Rizio might be liable to misconstruction, 110. The king himself seems, both by Melvil's account, and by his expostulation with the queen, which Ruthven mentions, to have given credit to these suspicions. Melv. 127. Keith, App. 123, 124. That the king's suspicions were strong, is likewise evident from the paper inserted page 319. But in opposition to these suspicions, and they are nothing more, we may observe that Raullet, the queen's French secretary, was dismissed from her service, and Rizio advanced to that office, in December, 1564. Keith, 268. It was in consequence of this preferment, that he acquired his great credit with the queen. Melv. 107. Darnley arrived in Scotland about two months after. Keith, 269. The queen immediately conceived for him a passion, which had all the symptoms of genuine and violent love. Rizio aided this passion, and promoted the marriage with all his interest. Melv. 111. During some months after the marriage, the queen's fondness for Darnley still continued. She soon proved with child. From this enumeration of circumstances, it appears almost impossible that the queen, unless we suppose her to have been a woman utterly abandoned, could carry on any criminal intrigue with Rizio. But the silence of Randolph, the English resident, a man abundantly ready to mention and to aggravate Mary's faults, and who does not once insinuate that her confidence in Rizio concealed any thing criminal, is in itself a sufficient vindication of her innocence.

<sup>o</sup> Good vol. i. 266.

the queen's bedchamber. Though Mary was now in the sixth month of her pregnancy, and though Rizio might have been seized elsewhere without any difficulty, the king pitched upon this place, that he might enjoy the malicious pleasure of reproaching Rizio with his crimes before the queen's face. The earl of Morton, the lord high-chancellor of the kingdom, undertook to conduct an enterprise, carried on in defiance of all the laws of which he was bound to be the guardian. The lord Ruthven, who had been confined to his bed for three months by a very dangerous distemper, and who was still so feeble that he could hardly walk, or bear the weight of his own armour, was intrusted with the executive part; and while he himself needed to be supported by two men, he came abroad to commit a murder in the presence of his sovereign.

On the 9th of March, Morton entered the court of the palace with a hundred and sixty men; and without noise, or meeting with any resistance, seized all the gates. While the queen was at supper with the countess of Argyll, Rizio, and a few other persons, the king suddenly entered the apartment by a private passage. At his back was Ruthven, clad in complete armour, and with that ghastly and horrid look which long sickness had given him. Three or four of his most trusty accomplices followed him. Such an unusual appearance alarmed those who were present. Rizio instantly apprehended that he was the victim at whom the blow was aimed; and in the utmost consternation retired behind the queen, of whom he laid hold, hoping that the reverence due to her person might prove some protection to him. The conspirators had proceeded too far to be restrained by any consideration of that kind. Numbers of armed men rushed into the chamber. Ruthven drew his dagger, and with a furious mien and voice commanded Rizio to leave a place of which he was unworthy, and which he had occupied too long. Mary employed tears and entreaties, and threatenings, to save her favourite. But, notwithstanding all these, he was torn from her by violence, and before he could be dragged

through the next apartment, the rage of his enemies put an end to his life, piercing his body with fifty-six wounds.<sup>p</sup>

<sup>p</sup> *Part of a Letter from the Earl of Bedford and Mr. Thos. Randolph to the Lords of the Council of England from Barwick, 27th of March, 1566. An Original in the Cotton Library, Caligula, b. 10. fol. 372.*

May it please your Honours,

27 March, Hering of so maynie matters as we do, and fyndinge such varietie in the 1566. reports, we have myche ado to decerne the veritie; which maketh us the slower and loother to put any thing in wrytinge to the entente we wold not that your Honours, and by you the Queen's Majestie, our sovereigne, should not be advertised but of the verie trothe as we can possible. To this end we thought good to send up Captain Carewe, who was in Edinboure at the tyme of the last attemptate, who spoke there with diverse, and after that with the Queen's self and her husband, conforme to that, which we have learned by others and know by this reporte, we send the same, confirmed by the parties self, that were there present and assysters unto these that were executors of the acte.

This we fynde for certain, that the Queen's husband being entered into a vehement suspicion of David, that by hym some thyng was committed, which was most agaynst the Queen's honour, and not to be borne of his perte, fyrste communicated his mynde to George Douglas, who fynding his sorrowes so great sought all the means he coule to put some remedie to his grief; and communicating the same unto my lord Ruthen by the King's commandment, no other waye could be found then that David should be taken out of the waye. Wherein he was so earnest and daylye pressed the same, that no reste could be had untill it was put in execution. To this that was found good, that the Lord Morton, and Lord Lindsay should be made privie to th' intente, that theie might have their friends at hande, yf neade required; which caused them to assemble so mayny, as theie thought sufficient against the tyme, that this determination of theirs should be put in executione; which was determined the ixth of this instante 3 daies afore the parliament should begyne, at which time the sayde lordes were assured that the Erles Argyle, Morraye, Rothes and their complices shold have been forfeited, yf the King could not be persuaded through this means to be their friends; who for the desyre he hade that this intent should take effect th' one waye was contente to yelde, without all difficultie to t'other, with this condition, that theie should give their consents, that he might have the crowne matrimonial. He was so impatient to see these things he saw, and were daylye brought to his eares, that he daylye pressed the sayde Lord Ruthen, that there might be no longer delaye; and to the intent that myght be manifeste unto the world that he approved the acte, was contente to be at the doing of that himself.

Upon Saturdaye at night neire unto viii of the clock the King conveyeth himself, the Lord Ruthen, George Duglass, and two others, throwe his own chamber by the privy stayers up to the Queen's chamber, going to which there is a cabinet about xii foot square; in the same a little low reposing bed and a table, at the which they were sitting at the supper the Queene, the Lady Argyle, and David with his capp upon his head. Into the cabinet there cometh in the King and Lord Ruthen, who willed David to come forth, saying, that was no place for him. The Queen said, that it was her will. Her howsband answerede, that yt was against her honour. The Lord Ruthen said, that he should lerne better his dutie, and offering to have taken him by the arm, David took the Queen by the blychtes of her gown, and put himself behind the Queen, who wolde gladlee have saved him: But the King having loosed his hand, and holding her in his arms, David was thrust out of the cabinet throw the bed-chamber into the chamber of presens, whar were the Lord Morton, Lord Lindsey, who intending that night to have reserved him, and the next day to hang him, so many being about him, that bore him evil will, one thrust him into the boddie with a dagger, and after him a great many others, so that he had in his bodie above wonds. It is told for certayne, that the Kinges own dagger was left sticking in him. Wheather he struck him or not we cannot here for certayn. He was not slayne in the Queen's presens, as was said, but going down the stayres out of the chamber of presens.

There remained a long tyme with the Queen her howsband and the Lord Ruthen. She made, as we here, great intercession that he shold have no harm. She blamed greatlee her howsband that was the actor of so foul a deed. It is said that he did answer, that David had more companie of her boddie then he for the space of two months; and therefore for her honour and his own contentment he gave his consent that he should be taken away. "It is not" (saythe she) "the woman's part to seek the husband," and therefore in that the fault was his own. He said that when he came,

Athol, Huntly, Bothwell, and other confidants of the queen, who had apartments in the palace, were alarmed at the uproar, and filled with the utmost terror on their own account; but either no violence was intended against them, or the conspirators durst not shed the noblest blood in the kingdom in the same illegal manner with which they had ventured to take the life of a stranger. Some of them were dismissed, and others made their escape.

The conspirators, in the mean time, kept possession of the palace, and guarded the queen with the ut-

she either wold not or made herself sick. "Well," saythe she, "you have taken your last of me and your farewell." Then were pity, sayth the Lord Ruthen, he is your Majesty's husband and must yield dutie to each other. "Why may I not," saythe she, "leave him as well as your wife did her husband?" Others have done the like. The Lord Ruthen said that she was lawfully divorced from her husband, and for no such cause as the King found himself greve. Besydes this man was mean, basse, enemie to the nobility, shame to her, and destruction to herself and country. "Well," saith she, "that shall be dear blude to some of you, yf his be spylt." God forbid, sayth the Lord Ruthen; for the more your Grace showe yourself offended, the world will judge the worse.

Her husband this tyme speaketh litle, herself continually weepeth. The Lord Ruthen being ill at ease and weak calleth for a drink, and saythe, "This I must do with your Majesties pardon," and persuadeth her in the best sort he could, that she would pacify herself. Nothing that could be said could please her.

In this mean time there arose a nombre in the court; to pacify which there went down the Lord Ruthen, who went streyt to the Erles Huntly, Bothwell, and Atholl, to quiet them, and to assure them for the King that nothing was intend against them. These notwithstanding taking fear, when theie heard that my Lord of Murray would be there the next day, and Argile meet them, Huntly and Bothwell both get out of a window and so depart. Atholl had leave of the King with Flysh and Glandores (who was lately called Deyseley the person of Owne) to go where they wold, and bring concord out of the court by the Lord of Lidington. Theie went that night to such places where they thought themselves in most sautie.

Before the King leaft talk with the Queen, in the hering of the Lord Ruthen she was contents that he shold lie with her that night. We know not how he \* \* himself, but came not at her, and excused hymself to his friends, that he was so sleepeie, that he could not wake in due season.

There were in this companie two that came in with the King: the one Andrewe Car of Fawdenside, whom the Queen sayth would have stroken her with a dagger, and one Patrick Balentine, brother to the justice-clerk, who also her Grace sayth, offered a dag against her belly with the cock down. We have been earnestly in hand with the Lord Ruthen to know the varitie; but he assoureth us of the contrarie. There were in the Queen's chamber the Lord Robert, Arthur Arskin, one or two others. They at the first offering to make a defence, the Lord Ruthen drawd his dagger, and 4 mo weapons then, that were not drawn nor seen in her presens, as we are by this Lord assured.

[The latter afterwards gives an account of the flight to Dunbar Castle, whither resorted unto the Lords Huntly and Bothwell. That the Earl of Morton and Lord Ruthen find themselves left by the King for all his fair promises, bonds, and subscriptions. That he had protested before the council, that he was never consenting to the death of David, and that it is sore against his will: "That of the great substance David had there is much spoken, some say in gold to the value of 11<sup>m</sup>£. His apparel was very good, as it is said, 28 pair of velvet hose. His chamber well furnished, armour, dagger, pystollets, harquebuses, 22 swords. Of all this nothing spoyled or lacked saving 2 or 3 dagger. He had the custody of all the Queen's letters, which all were delivered unlooked upon. We hear of a juill, that he had hanging about his neck of some price, that cannot be heard of. He had upon his back when he was slayn, a night gown of damask furred, with a satten dublet, a hose of russet velvet."]

queen her-  
self; most care. A proclamation was published by the king, prohibiting the parliament to meet on the day appointed; and measures were taken by him for preventing any tumult in the city.<sup>4</sup> Murray, Rothes, and their followers, being informed of every step taken against Rizzio, arrived at Edinburgh next evening. Murray was graciously received both by the king and queen: by the former on account of the articles which had been agreed upon between them; by the latter, because she hoped to prevail on him, by gentle treatment, not to take part with the murderers of Rizzio. Their power she still felt and dreaded; and the insult which they had offered to her authority, and even to her person, so far exceeded any crime she could impute to Murray, that, in hopes of wreaking her vengeance on them, she became extremely willing to be reconciled to him. The obligations, however, which Murray lay under to men who had hazarded their lives on his account, engaged him to labour for their safety. The queen, who scarce had the liberty of choice left, was persuaded to admit Morton and Ruthven into her presence, and to grant them the promise of pardon in whatever terms they should deem necessary for their own security.

but she  
gains the  
king, and  
makes her  
escape. The king, meanwhile, stood astonished at the boldness and success of his own enterprise, and uncertain what course to hold. The queen observed his irresolution, and availed herself of it. She employed all her art to disengage him from his new associates. His consciousness of the insult which he had offered to so illustrious a benefactress, inspired him with uncommon facility and complaisance. In spite of all the warnings he received to distrust the queen's artifices, she prevailed on him to dismiss the guards which the conspirators  
March 11. had placed on her person; and that same night he made his escape along with her, attended by three persons only, and retired to Dunbar. The scheme of their flight had been communicated to Huntly and Bothwell, and they

<sup>4</sup> Keith, App. 126.

were quickly joined by them and several other of the nobles. Bothwell's estate lay in that corner of the kingdom, and his followers crowded to their chief in such numbers, as soon enabled the queen to set the power of the conspirators at defiance.

Is recon-  
ciled to  
the exiled  
nobles.

This sudden flight filled them with inexpressible consternation. They had obtained a promise of pardon; and it now appeared from the queen's conduct, that nothing more was intended by this promise than to amuse them, and to gain time. They ventured, however, to demand the accomplishment of it; but their messenger was detained a prisoner, and the queen advancing towards Edinburgh, at the head of eight thousand men, talked in the highest strain of resentment and revenge. She had the address, at the same time, to separate Murray and his associates from the conspirators against Rizzio. Sensible that the union of these parties would form a confederacy which might prove formidable to the crown, she expressed great willingness to receive the former into favour; towards the latter she declared herself inexorable. Murray and his followers were no less willing to accept a pardon on her terms. The conspirators against Rizzio, deprived of every resource, and incapable of resistance, fled precipitately to Newcastle, having thus changed situations with Murray and his party, who left that place a few days before.

March 10.  
The con-  
spirators  
against  
Rizzio  
fly into  
England.

No man so remarkable for wisdom, and even for cunning, as the earl of Morton, ever engaged in a more unfortunate enterprise. Deserted basely by the king, who now denied his knowledge of the conspiracy by public proclamations, and abandoned ungenerously by Murray and his party,<sup>r</sup> he was obliged to fly from his native country, to resign the highest office, and to part with one of the most opulent fortunes in the kingdom.

On her return to Edinburgh, Mary began to proceed against those concerned in the murder of Rizzio with the



utmost rigour of law. But, in praise of her clemency, it must be observed, that only two persons, and these of no considerable rank, suffered for this crime.<sup>s</sup>

In this conspiracy there is one circumstance which, though somewhat detached, deserves not to be forgotten. In the confederacy between the king and the conspirators, the real intention of which was assassination, the preserving of the reformed church is, nevertheless, one of the most considerable articles; and the same men, who were preparing to violate one of the first duties of morality, affected the highest regard for religion. History relates these extravagances of the human mind, without pretending to justify, or even to account for them; and regulating her own opinions by the eternal and immutable laws of justice and of virtue, points out such inconsistencies, as features of the age which she describes, and records them for the instruction of ages to come.

An account of the frequency of assassinations in that age. As this is the second instance of deliberate assassination which has occurred, and as we shall hereafter meet with many other instances of the same crime, the causes which gave rise to a practice so shocking to humanity deserve our particular attention. Resentment is, for obvious and wise reasons, one of the strongest passions in the human mind. The natural demand of this passion is, that the person who feels the injury should himself inflict the vengeance due on that account. The permitting this, however, would have been destructive to society; and punishment would have known no bounds, either in severity or in duration. For this reason, in the very infancy of the social state, the sword was taken out of private hands, and committed to the magistrate. But at first, while laws aimed at restraining, they really strengthened the principle of revenge. The earliest and most simple punishment for crimes was retaliation; the offender forfeited limb for limb, and life for life. The payment of a compensation to the person injured, succeeded to the rigour of the former institution. In both these, the

<sup>s</sup> Keith, App. 130. 334.

gratification of private revenge was the object of law ; and he who suffered the wrong was the only person who had a right to pursue, to exact, or to remit the punishment. While laws allowed such full scope to the revenge of one party, the interests of the other were not neglected. If the evidence of his guilt did not amount to a full proof, or if he reckoned himself to be unjustly accused, the person to whom a crime was imputed had a right to challenge his adversary to single combat, and, on obtaining the victory, vindicated his own honour. In almost every considerable cause, whether civil or criminal, arms were appealed to, in defence either of the innocence, or the property, of the parties. Justice had seldom occasion to use her balance; the sword alone decided every contest. The passion of revenge was nourished by all these means, and grew, by daily indulgence, to be incredibly strong. Mankind became habituated to blood, not only in times of war, but of peace; and from this, as well as other causes, contracted an amazing ferocity of temper and of manners. This ferocity, however, made it necessary to discourage the trial by combat; to abolish the payment of compensations in criminal cases; and to think of some milder method of terminating disputes concerning civil rights. The punishments for crimes became more severe, and the regulations concerning property more fixed; but the princes, whose province it was to inflict the one, and to enforce the other, possessed little power. Great offenders despised their authority; smaller ones sheltered themselves under the jurisdiction of those from whose protection they expected impunity. The administration of justice was extremely feeble and dilatory. An attempt to punish the crimes of a chieftain, or even of his vassals, often excited rebellions and civil wars. To nobles, haughty and independent, among whom the causes of discord were many and unavoidable, who were quick in discerning an injury, and impatient to revenge it; who deemed it infamous to submit to an enemy, and cowardly to forgive him; who considered the right of punishing those who had injured them, as a privilege of their order and a mark of indepen-

dence; such slow proceedings were extremely unsatisfactory. The blood of their adversary was, in their opinion, the only thing which could wash away an affront; where that was not shed, their revenge was disappointed, their courage became suspected, and a stain was left on their honour. That vengeance which the impotent hand of the magistrate could not inflict, their own could easily execute. Under governments so feeble, men assumed, as in a state of nature, the right of judging and redressing their own wrongs; and thus assassination, a crime of all others the most destructive to society, came not only to be allowed, but to be reckoned honourable.

The history of Europe, during the fourteenth and fifteenth centuries, abounds with detestable instances of this crime. It prevailed chiefly among the French and Scots, between whom there was a close intercourse at that time, and a surprising resemblance in their national characters. In 1407, the only brother of the king of France was murdered publicly in the streets of Paris; and, so far was this horrible action from meeting with proper punishment, that

an eminent lawyer was allowed to plead in defence of it before the peers of France, and avowedly to maintain the lawfulness of assassination. In 1417, it required all the eloquence and authority of the famous Gerson, to prevail on the council of Constance to condemn this proposition, "That there are some cases in which assassination is a virtue more meritorious in a knight than in a squire, and more meritorious in a king than in a knight."<sup>1</sup> The number of eminent persons who were murdered in France and Scotland, on account either of private, or political, or religious quarrels, during the fifteenth and sixteenth centuries, is almost incredible. Even after those causes, which first gave rise to this barbarous practice, were removed; after the jurisdiction of magistrates, and the authority of laws, were better established, and become more universal; after the progress of learning and philosophy had polished the manners, and humanized the minds of men, this crime continued in some degree. It was towards the close of the seventeenth century

<sup>1</sup> L'Enfant, Hist. Conc. de Const.

before it disappeared in France. The additional vigour, which the royal authority acquired by the accession of James VI. to the throne of England, seems to have put a stop to it in Scotland.

The influence, however, of any national custom, both on the understanding and on the heart, and how far it may go towards perverting or extinguishing moral principles of the greatest importance, is remarkable. The authors of those ages have perfectly imbibed the sentiments of their contemporaries, with regard to assassination; and they who had leisure to reflect and to judge, appear to be no more shocked at this crime, than the persons who committed it during the heat and impetuosity of passion. Buchanan describes the murder of cardinal Beaton and of Rizzio, without expressing those feelings which are natural to a man, or that indignation which became an historian.<sup>u</sup> Knox, whose mind was fiercer and more unpolished, relates the death of Beaton and of the duke of Guise, not only without censure, but with the utmost exultation.<sup>x</sup> On the other hand, the bishop of Ross mentions the assassination of the earl of Murray with some degree of applause.<sup>y</sup> Blackwood dwells upon it with the most indecent triumph, and ascribes it directly to the hand of God.<sup>z</sup> Lord Ruthven, the principal actor in the conspiracy against Rizzio, wrote an account of it some short time before his own death, and in all his long narrative there is not one expression of regret, or one symptom of compunction, for a crime no less dishonourable than barbarous.<sup>a</sup> Morton, equally guilty of the same crime, entertained the same sentiments concerning it; and in his last moments, neither he himself, nor the ministers who attended him, seem to have considered it as an action which called for repentance; even then he talks of *David's slaughter* as coolly as if it had been an innocent or commendable deed.<sup>b</sup> The vices of another age astonish and shock us; the vices of our own become familiar, and excite little horror.<sup>c</sup> I return from this digression to the course of the history.

<sup>u</sup> Buchan. 295. 345.

<sup>x</sup> Knox, 334.

<sup>y</sup> Anders. 3. 84.

<sup>z</sup> Jebb, 2. 263.

<sup>a</sup> Keith, App. 119.

<sup>b</sup> Crawf. Mem. App.

<sup>c</sup> In the first account of Rizzio's murder sent to England, there seem to have been mingled (as is usual in relating extraordinary events) some circumstances, which afterward appeared to be false: among others, that a friar named *Black* had been slain

The queen's hatred to Darnley increases. The charm which had at first attached the queen to Darnley, and held them for some time in a happy union, was now entirely dissolved; and love no longer covering his follies and vices with its friendly veil, they appeared to Mary in their full dimension and deformity.<sup>d</sup> Though Henry published a proclamation, disclaiming any knowledge of the conspiracy against Rizzio, the queen was fully convinced, that he was not only accessory to the contrivance, but to the commission of that odious crime.<sup>e</sup> That very power which, with liberal and unsuspicious fondness, she had conferred upon him, he had employed to insult her authority, to limit her prerogative, and to endanger her person. Such an outrage it was impossi-

at the same time with Rizzio. Packhurst, bishop of Norwich, in communicating this intelligence to his correspondent Bullinger, an eminent reformed divine of Zurich, expresses no condemnation of the murder of Rizzio, and exults over the supposed death of the friar, in terms which, in our times, will appear as shocking as they are puerile: "Fraterculus quidam, nomine *Black*, papistarum antesignanus, eodem tempore in aula occiditur: Sic niger hic nebulo, nigra quoque morte preemptus, invitus nigrum subito descendit in Orcum." Burn. Hist. of Reform. iii. App. 360.

<sup>d</sup> *Part of a Letter from Randolph to Cecil, Jan. 16, 1565-6.*

— I cannot tell what misliking of late there hath been between her Grace and her husband, he presseth earnestly for the matrimonial crown, which she is loth hastily to grant, but willing to keep somewhat in store, until she know how well he is worth to enjoy such a sovereignty; and therefore it is thought that the Parliament for a time shall be deferred, but hereof I can write no certainty.

*From Mr. Randolph's Letter to Secretary Cecil.*

4th April, 1566. Pa-  
per Office,  
from the  
original. The justice-clerk in hard terms, more for his brother's cause than any desert, and as far as I can hear the King of all other in worst, for neither that the Queen good opinion of him for attempting of any thing that was against her will, nor the people that he hath denied so manifest a matter, being proved to be done by his commandment, and now himself to be the accuser and pursuer of them that did as he willed them. This Scott, that was executed, and Murray that was yesterday arraigned, were both accused by him. It is written to me, for certain, by one that upon Monday last spoke with the Queen, that she is determined that the House of Lennox shall be as poor in Scotland as ever it was. The Earl continueth sick, sore troubled in mind; he staith in the abby, his son has been once with him, and he once with the Queen, since she came to the castle. The Queen hath now seen all the covenants and bands that passed between the King and the lords, and now findeth that his declaration, before her and council, of his innocency of the death of David, was false; and grievously offended that, by their means, he should seek to come to the crown matrimonial.

*Part of a Letter from Randolph to Cecil, from Berwick, 25 April, 1565.*

— There is continually very much speech of the discord between the Queen and her husband, so far that, that is commonly said and believed of himself, that Mr. James Thornton is gone to Rome to sue for a divorce between them. It is very certain that Malevasier had not spoken with him within these three days. He is neither accompany'd nor looked upon of any nobleman: attended upon by certain of his own servants, and six or seven of the guard; at liberty to do, and go where and what he will, they have no hope yet among themselves of quietness.

— David's brother, named Joseph, who came this way with Malevasier, unknown to any man here, is become secretary in his brother's place.

<sup>e</sup> Keith, 350.

ble any woman could bear or forgive. Cold civilities, secret distrust, frequent quarrels, succeeded to their former transports of affection and confidence. The queen's favours were no longer conveyed through his hands. The crowd of expectants ceased to court his patronage, which they found to avail so little. Among the nobles, some dreaded his furious temper, others complained of his perfidiousness; and all of them despised the weakness of his understanding and the inconstancy of his heart. The people themselves observed some parts of his conduct which little suited the dignity of a king. Addicted to drunkenness, beyond what the manners of that age could bear, and indulging irregular passions, which even the licentiousness of youth could not excuse, he, by his indecent behaviour, provoked the queen to the utmost; and the passions which it occasioned often forced tears from her eyes, both in public and in private.<sup>f</sup> Her aversion for him increased every day, and could be no longer concealed. He was often absent from court, appeared there with little splendour, and was trusted with no power. Avoided equally by those who endeavoured to please the queen, who favoured Morton and his associates, or who adhered to the house of Hamilton, he was left almost alone in a neglected and unpitied solitude.<sup>g</sup>

The rise of Bothwell's favour. About this time a new favourite grew into great credit with the queen, and soon gained an ascend-

ant over her heart, which encouraged his enterprising genius to forms designs that proved fatal to himself, and the occasion of all Mary's subsequent misfortunes. This was James Hepburn, earl of Bothwell, the head of an ancient family, and, by his extensive possessions and numerous vassals, one of the most powerful noblemen in the kingdom. Even in that turbulent age, when so many vast projects were laid open to an aspiring mind, and invited it to action, no man's ambition was more daring than Bothwell's, or had recourse to bolder or more singular expedients for obtaining power.<sup>h</sup> When almost every person of distinc-

<sup>f</sup> Keith, 329.

<sup>g</sup> Melv. 131, &c.

<sup>h</sup> The enterprising spirit of Bothwell was so conspicuous as to procure him several marks of distinction during his residence in France. Hardwicke's State Papers, i. 143.

tion in the kingdom, whether Papist or Protestant, had joined the Congregation in opposing the dangerous encroachments of the French upon the liberties of the nation, he, though an avowed Protestant, adhered to the queen regent, and acted with vigour on her side. The success which attended the arms of the Congregation having obliged him to retire into France, he was taken into the queen's service, and continued with her till the time of her return into Scotland.<sup>i</sup> From that period, every step of his conduct towards Mary was remarkably dutiful; and, amidst all the shiftings of faction, we scarcely ever find him holding any course which could be offensive to her. When Murray's proceedings with regard to her marriage gave umbrage to the queen, she recalled Bothwell from that banishment into which she had been obliged with reluctance to drive him, and considered his zeal and abilities as the most powerful supports of her authority. When the conspirators against Rizzio seized her person, he became the chief instrument of recovering her liberty, and served her, on that occasion, with so much fidelity and success, as made the deepest impression on her mind, and greatly increased the confidence which she had hitherto placed in him.<sup>k</sup> Her gratitude loaded him with marks of her bounty; she raised him to offices of profit and trust, and transacted no matter of importance without his advice.<sup>l</sup> By complaisance and assiduity he confirmed and fortified these dispositions of the queen in his favour, and insensibly paved the way towards that vast project, which his immoderate ambition had perhaps already conceived, and which, in spite of many difficulties, and at the expense of many crimes, he at last accomplished.

The hour of the queen's delivery now approached. As her palace was defended only by a slender guard, it seemed imprudent to expose her person, at this time, to the insults

Throckmorton, the English ambassador at Paris, and one of the most sagacious ministers employed by Elizabeth, points him out as a person who was to be dreaded and observed. "The earl of Bothwell (says he in a letter, Nov. 28, 1566,) is departed to return into Scotland, and hath made a boast that he will do great things, and live in Scotland in despite of all men. He is a glorious, rash, and hazardous young man; and therefore it were meet that his adversaries should both have an eye to him, and also keep him short." Ibid. p. 149.

<sup>i</sup> Anders. i. 90.

<sup>k</sup> Ibid. 92, 93.

<sup>l</sup> Melv. 133. Knox, 396.

she might suffer in a kingdom torn by factions and prone to mutiny. For this reason the privy-council advised the queen to fix her residence in the castle of Edinburgh, the strongest fortress in the kingdom, and the most proper place for the security of her person.<sup>m</sup> In order to render this security more perfect, Mary laboured to extinguish the domestic feuds which divided some of the principal nobles. Murray and Argyll were exasperated against Huntly and Bothwell, by reciprocal and repeated injuries. The queen, by her authority and entreaties, effected a reconciliation among them, and drew from them a promise to bury their discords in everlasting oblivion. This reconciliation Mary had so much at heart, that she made it the condition on which she again received Murray into favour.<sup>n</sup>

Birth of James VI. On the 19th of June, Mary was delivered of her only son James, a prince whose birth was happy for the whole island, and unfortunate to her alone. His accession to the throne of England united the two divided kingdoms in one mighty monarchy, and established the power of Great Britain on a firm foundation; while she, torn early from her son by the cruelty of her fate, was never allowed to indulge those tender passions, nor to taste those joys which fill the heart of a mother.

Melvil was instantly dispatched to London with an account of this event. It struck Elizabeth, at first, in a sensible manner; and the advantage and superiority which her rival had acquired by the birth of a son, forced tears from her eyes. But before Melvil was admitted to an audience, she had so far recovered the command of herself, as to receive him not only with decency but with excessive cheerfulness; and willingly accepted the invitation which Mary gave her, to stand godmother to her son.<sup>o</sup>

As Mary loved splendour and magnificence, she resolved to celebrate the baptism of the young prince with great pomp; and for that purpose sent invitations of the same kind to the French king, and to the duke of Savoy, the uncle of her former husband.

<sup>m</sup> Keith, 335.<sup>n</sup> Ibid. 336. App. 139.<sup>o</sup> Melv. 138.



The queen continues to treat Darnley  
 The queen, on her recovery, discovered no change in her sentiments with respect to the king.<sup>p</sup> The death of Rizzio, and the countenance he had given

<sup>p</sup> *The Earl of Bedford to Cecil, 3d August, 1566.*

The Queen and her husband agree after the old manner, or rather worse. She eateth but very seldom with him, lieth not, nor keepeth company with him, nor loveth any such as love him. He is so far out of her books, as at her going out of the castle of Edinburgh, to remove abroad, he knew nothing thereof. It cannot for modesty, nor with the honour of a Queen, be reported what she said of him. One Hickman, an English merchant there, having a water spaniel, which was very good, gave him to Mr. James Melvil, who afterwards, for the pleasure which he saw the King have in such kind of dogs, gave him to the King. The Queen thereupon fell marvellously out with Melvil, and called him dissembler and flatterer, and said she could not trust one, who would give any thing to such a one as she loved not.

*The Earl of Bedford to Cecil, Aug. 8.*

The disagreement between the Queen and her husband continueth, or rather increaseth. Robert Melvil drawing homewards, within twelve miles of Edinburgh, could not tell where to find the Queen; sith which time she is come to Edinburgh, and had not twelve horses attending on her. There was not then, nor that I can hear of since, any lord, baron, or other nobleman in her company. The King her husband is gone to Dumfermling, and passeth his time as well as he may; having at his farewell such countenance as would make a husband happy at the heart.

*Sir John Forster to Cecil, 8th Sept. from Berwick.*

The Queen hath her husband in small estimation, and the Earl of Lennox came not in the Queen's sight since the death of Davy.

*Sir John Forster to Cecil, 11th Dec.*

The Earl of Bothwell is appointed to receive the ambassadors, and all things for the christening are at his Lordship's appointment, and the same is scarcely well liked of the nobility, as is said. The King and Queen is presently at Craigmillar, but in little greater familiarity than he was all the while past.

*Advertisements out of Scotland from the Earl of Bedford.*

August 1566. Pa-  
 per Office.  
 From the  
 original.

That the King and Queen agreed well together two days after her coming from —, and after my Lord of Murray's coming to Edinburgh, some new discord has happened. The Queen hath declared to my Lord of Murray that the King bears him evil will, and has said to her that he is determined to kill him, finding fault that she doth bear him so much company: and in like manner hath willed my Lord of Murray to spiere it at the King, which he did a few nights since in the Queen's presence, and in the hearing of divers. The King confessed, that reports were made to him, that my Lord of Murray was not his friend, which made him speak that thing he repented; and the Queen affirmed, that the King had spoken such words unto her, and confessed before the whole house, that she could not be content that either he or any other should be unfriendly to my Lord of Murray. My Lord of Murray enquired the same stoutly, and used his speech very modestly, in the mean time the King departed very grieved; he cannot bear that the Queen should use either familiarity with man or woman, and especially the ladies of Arguile, Murray, and Marre, who keep most company with her. My Lord of Murray and Bothwell have been at evil words for the L. of Ledington, before the Queen, for he and Sir James Balfoure had new come from Ledington, with his answer upon such heads or articles as Bothwell and he should agree upon, which being reported to the said Earl in the Queen's presence, made answer, that ere he parted with such lands as was desired, he should part with his life. My Lord of Murray said stoutly to him, that twenty as honest men as he should lose their lives ere he reafte Ledington. The Queen spake nothing, but heard both; in these terms they parted, and since, that I hear of, have not met. The Queen after her hunting came to Edinburgh, and carryeth the Prince thence to Stirling with her. This last Saturday was executed a servant of the Lord Ruthven's, who confessed that he was in the cabinet, but not of council of the fact. The Queen hath also opened to my Lord of Murray, that money was sent from the Pope, how much it was, and by whom, and for what purpose it was brought.

with indif- to an action so insolent and unjustifiable, were still  
ference fresh in her memory. She was frequently pensive  
and neg- and dejected.<sup>a</sup> Though Henry sometimes attended  
lect. at court, and accompanied her in her progresses through  
different parts of the kingdom, he met with little reverence  
from the nobles, while Mary treated him with the greatest  
reserve, and did not suffer him to possess any authority.<sup>r</sup>  
The breach between them became every day more appa-  
rent.<sup>s</sup> Attempts were made towards a reconciliation, par-  
ticularly by Castelnau, the French ambassador; but, after  
such a violent rupture, it was found no easy matter to bind  
the nuptial knot anew; and, though he prevailed on the  
king and queen to pass two nights together,<sup>t</sup> we may, with  
great probability, pronounce this appearance of union, to  
which Castelnau trusted, not to have been sincere; we  
know with certainty that it was not lasting.

Her at-  
tachment  
to Both-  
well in-  
creases.

Bothwell, all this while, was the queen's prime con-  
fident. Without his participation no business was  
concluded, and no favour bestowed. Together  
with this ascendant over her councils, Bothwell, if  
we may believe the contemporary historians, acquired no  
less sway over her heart. But at what precise time this  
ambitious lord first allowed the sentiments of a lover to  
occupy the place of that duty and respect which a subject  
owes his sovereign; or when Mary, instead of gratitude  
for his faithful services, felt a passion of another nature  
rising in her bosom, it is no easy matter to determine. Such  
delicate transitions of passion can be discerned only by  
those who are admitted near the persons of the parties, and  
who can view the secret workings of the heart with calm  
and acute observation. Neither Knox nor Buchanan en-  
joyed these advantages. Their humble station allowed  
them only a distant access to the queen and her favourite.  
And the ardour of their zeal, as well as the violence of their  
prejudices, rendered their opinions rash, precipitate, and  
inaccurate. It is by the effects of this reciprocal passion,

<sup>a</sup> Melv. 148.

<sup>s</sup> Keith, App. 169.

<sup>r</sup> Keith, 350. Melv. 132.

<sup>t</sup> Ibid. 169.

rather than by their accounts of it, that subsequent historians can judge of its reality.

Adventurous as Bothwell's project to gain the queen may appear, it was formed and carried on under very favourable circumstances. Mary was young, gay, and affable. She possessed great sensibility of temper, and was capable of the utmost tenderness of affection. She had placed her love on a very unworthy object, who requited it with ingratitude, and treated her with neglect, with insolence, and with brutality. All these she felt and resented. In this situation, the attention and complaisance of a man who had vindicated her authority and protected her person, who entered into all her views, who soothed all her passions, who watched and improved every opportunity of insinuating his design and recommending his passion,<sup>u</sup> could hardly fail of making an impression on a heart of such a frame as Mary's.

The king  
resolves  
to leave  
Scotland.

The haughty spirit of Darnley, nursed up in flattery, and accustomed to command, could not bear the contempt under which he had now fallen, and the state of insignificance to which he saw himself reduced. But, in a country where he was universally hated or despised, he could never hope to form a party, which would second any attempt he might make to recover power. He addressed himself, therefore, to the pope, and to the kings of France and Spain, with many professions of his own zeal for the Catholic religion, and with bitter complaints against the queen, for neglecting to promote that interest:<sup>x</sup> and, soon after, he took a resolution, equally wild and desperate, of embarking on board a ship which he provided, and of flying into foreign parts. It is almost impossible to form any satisfactory conjecture concerning the motives which influence a capricious and irregular mind. He hoped perhaps to recommend himself to the Catholic princes on the continent by his zeal for religion, and that they would employ their interest towards reinstating him in the possession of that power which he had lost. Perhaps he expected nothing more than the comfort of hiding

<sup>u</sup> Anders. i. 93, 94.

<sup>x</sup> Knox, 399.

the disgrace under which he was now fallen, among strangers, who had never been witnesses of his former prosperity.

His capricious behaviour. He communicated the design to the French ambassador, Le Croc, and to his father, the earl of Lennox. They both endeavoured to dissuade him from it, but without success. Lennox, who seems, as well as his son, to have lost the queen's confidence, and who, about this time, was seldom at court, instantly communicated the same to her by a letter. Henry, who had refused to accompany the queen from Stirling to Edinburgh, was likewise absent from court. He arrived there, however, on the same day she received the account of his intended flight. But he was more than usually wayward and peevish; and scrupling to enter the palace unless certain lords who attended the queen were dismissed, Mary was obliged to meet him without the gates. At last he suffered her to conduct him into her own apartment. She endeavoured to draw from him the reasons of the strange resolution he had taken, and to divert him from it. In spite, however, of all her arguments and entreaties, he remained silent and inflexible. Next day the privy-council, by her direction, expostulated with him on the same head. He persisted, notwithstanding, in his sullenness and obstinacy; and neither deigned to explain the motives of his conduct, nor signified any intention of altering it. As he left the apartment, he turned towards the queen, and told her that she should not see his face again for a long time. A few days after, he wrote to Mary, and mentioned two things as grounds of his disgust. She herself, he said, no longer admitted him into any confidence, and had deprived him of all power; and the nobles, after her example, treated him with open neglect, so that he appeared in every place without the dignity and splendour of a king.

Mary endeavours to prevent his intended flight. Nothing could be more mortifying to Mary, than this intended flight of the king's, which would have spread the infamy of their domestic quarrel all over Europe. Compassion for a monarch who would then appear to be forced into exile by her neglect

and ill usage, might have disposed mankind to entertain sentiments concerning the causes of their discord, little to her advantage. In order, therefore, to prepossess the minds of her allies, and to screen her reputation from any censure with which Darnley might endeavour to load it, the privy-council transmitted a narrative of this whole transaction both to the king and to the queen-mother of France. It was drawn with great art, and sets Mary's conduct in the most favourable point of view.<sup>y</sup>

About this time the licence of the borderers called for redress; and Mary resolving to hold a court of justice at Jedburgh, the inhabitants of several adjacent counties were summoned to attend their sovereign in arms, according to custom.<sup>z</sup> Bothwell was at this time lieutenant or warden of all the marches, an office among the most important in the kingdom; and, though usually divided into three distinct governments, bestowed by the queen's favour upon him alone. In order to display his own valour and activity in the discharge of this trust, he attempted to seize a gang of banditti, who, lurking among the marshes of Liddesdale, infested the rest of the country. But while he was  
 Oct. 16. laying hold upon one of those desperadoes, he was wounded by him in several places, so that his followers were obliged to carry him to Hermitage Castle. Mary instantly flew thither,<sup>a</sup> with an impatience which has been considered as marking the anxiety of a lover, but little suited the dignity of a queen. Finding that Bothwell was threatened with no dangerous symptom, she returned the same day to Jedburgh. The fatigue of such a journey, added to the anguish of mind she had suffered on Both-

<sup>y</sup> Keith, 345. 347.

<sup>z</sup> Ibid. 353. Good. vol. i. 302.

<sup>a</sup> The distance between Jedburgh and Hermitage is eighteen Scottish miles, through a country almost impassable. The season of the year was far advanced. Bothwell seems to have been wounded in a scuffle, occasioned by the despair of a single man, rather than any open insurrection of the borderers. It does not appear that the queen was attended by any considerable train. Had any military operation been necessary, as is supposed, Good. vol. i. 304. it would have been extremely improper to risk the queen's person in an expedition against thieves. As soon as the queen found Bothwell to be in no danger, she instantly returned, and after this we hear no more of the insurrection, nor have we any proof that the rioters took refuge in England. As there is no farther evidence with respect to the motives of this extraordinary journey, the reader must judge what degree of credit is due to Knox and Buchanan, who ascribe it to the queen's love of Bothwell.

well's account, threw her next morning into a violent fever.<sup>b</sup> Her life was despaired of, but her youth, and the vigour of her constitution, resisted the malignity of her disease. During the continuance of the queen's illness,

Nov. 5. the king, who resided at Stirling, never came near Jedburgh;<sup>c</sup> and when he afterward thought fit to make his appearance there, he met with such a cold reception, as did not encourage him to make any long stay.<sup>d</sup> Mary soon recovered strength enough to return along the eastern borders to Dunbar.

While she resided in this place, her attention was turned towards England. Elizabeth, notwithstanding her promise, and even proclamations to the contrary, not only allowed, but encouraged, Morton and his associates to remain in England.<sup>e</sup> Mary, on the other hand, offered her protection to several English fugitives. Each queen watched the motions of the other with a jealous attention, and secretly countenanced the practices which were carrying on to disturb the administration of her rival.

The English parliament favours Mary's pretensions to the succession. For this purpose Mary's ambassador, Robert Melvil, and her other emissaries, were extremely active and successful. We may ascribe, in a good degree, to their intrigues, that spirit which appeared in the parliament of England, and which raised a storm that threatened Elizabeth's domestic tranquillity more than any other event of her reign, and required all her art and dexterity to allay it.

Elizabeth had now reigned eight years without discovering the least intention to marry. A violent distemper with which she had lately been seized, having endangered her life, and alarmed the nation with the prospect of all those calamities which are occasioned by a disputed and dubious succession, a motion was made, and eagerly listened to in both houses, for addressing the queen to provide against any such danger in times to come, either by signifying her own resolution to marry, or by consenting to

<sup>b</sup> Keith, 351, 352.

<sup>c</sup> Ibid. App. 133.

<sup>d</sup> Knox, 400.

<sup>e</sup> Cald. vol. ii. 15.

an act, establishing the order of succession to the crown.<sup>f</sup> Her love to her subjects, her duty to the public, her concern for posterity, it was asserted, not only called upon, but obliged her to take one of these steps. The insuperable aversion which she had all along discovered for marriage, made it improbable that she would choose the former; and if she complied with the latter request, no title to the crown could, with any colour of justice, be set in opposition to that of the Scottish queen. Elizabeth was sagacious enough to see the remotest consequences of this motion, and observed them with the greatest anxiety. Mary, by refusing so often to ratify the treaty of Edinburgh, had plainly intimated a design of embracing the first promising opportunity for prosecuting her right to the English crown; and by her secret negotiations, she had gained many to favour her title.<sup>g</sup> All the Roman Catholics ardently wished for her succession. Her gentleness and humanity had removed many of those apprehensions which the Protestants entertained on account of her religion. The court faction, which envied the power of Cecil, and endeavoured to wrest the administration out of his hands, advanced the pretensions of the Scottish queen in opposition to him. The union of the two kingdoms was a desirable object to all wise men in both nations; and the birth of the young prince was a security for the continuance of this blessing, and gave hopes of its perpetuity.

Elizabeth's perplexity on that account. Under these circumstances, and while the nation was in such a temper, a parliamentary declaration of Mary's title would have been highly detrimental to Elizabeth. The present unsettled state of the succession left much in her power. Her resentment alone might have gone far towards excluding any of the competitors from the crown; and the dread of this had hitherto restrained and overawed the ambition of the Scottish queen. But if this check should be removed by the legal acknowledgment of her title, Mary would be more at liberty to pursue her dangerous designs, and to act without fear or

<sup>f</sup> D'Ewes' Journ. of Parl. 105.<sup>g</sup> Melv. 136.

reserve. Her partisans were already making schemes for insurrections in different parts of the kingdom;<sup>h</sup> and an act of parliament, recognizing the rights of that princess, whose pretensions they favoured, would have been nothing less than a signal to arms; and, notwithstanding Elizabeth's just title to the affections of her subjects, might have shaken and endangered her throne.

While this matter remained in suspense in both houses, an account of it was transmitted to Mary Mary endeavours to improve this opportunity. by Melvil her ambassador. As she did not want advocates for her right, even among those who were near Elizabeth's person, she endeavoured to cultivate the disposition which appeared towards settling the right of succession in her favour, by a letter to the privy counsellors of England. She expresses in it a grateful sense of Elizabeth's friendship, which she ascribes chiefly to their good offices with their sovereign in her behalf. She declared her resolution to live in perpetual amity with England, without urging or pursuing her claim upon the crown any farther than should be agreeable to the queen. But, at the same time, as her right of succession was undoubted, she hoped it would be examined with candour, and judged of with impartiality. The nobles who attended her wrote to the English privy-council in the same strain.<sup>i</sup> Mary artfully gave these letters the air of being nothing more than a declaration of her own and of her subjects' gratitude towards Elizabeth. But, as she could not be ignorant of the jealousy and fear with which Elizabeth observed the proceedings of parliament, a step so uncommon as this, of one prince's entering into public correspondence with the privy counsellors of another, could not be otherwise construed than as taken with an intention to encourage the spirit which had already been raised among the English. In this light it seems to have appeared to Elizabeth herself.<sup>k</sup> But the disposition of her people rendering it necessary to treat Mary's person with great decency, and her title with much regard, she mentioned it to her only in the softest language.

<sup>h</sup> Melv 147.<sup>i</sup> Keith, 354. App. 136.<sup>k</sup> Keith, 357.



Elizabeth  
sooths and  
gains her  
parliament.

Nothing, however, could be a more cruel mortification to a princess of Elizabeth's character, than the temper which both houses of parliament discovered on this occasion. She bent all her policy to defeat or elude the motion. After allowing the first heat of their zeal to evaporate, she called into her presence a certain number of each house. She soothed and caressed them; she threatened and promised; she remitted subsidies which were due, and refused those which were offered; and, in the end prevailed to have this formidable motion put off for that session. Happily for her, the conduct of the Scottish queen, and the misfortunes which befel her, prevented the revival of such a motion in any future parliament.<sup>1</sup>

Meantime, in order to preserve the reputation of impartiality, and that she might not drive Mary into any desperate measure, she committed to the Tower one Thornton, who had published something derogatory to the right of the Scottish line;<sup>m</sup> and signified her displeasure against a member of the House of Commons, who seemed, by some words in a speech, to glance at Mary.<sup>n</sup>

An extra-  
ordinary  
step of  
Mary's in  
favour of  
Popery.

Amidst all her other cares, Mary was ever solicitous to promote the interest of that religion which she professed. The re-establishment of the Romish doctrine seems to have been her favourite passion; and though the design was concealed with care and conducted with caution, she pursued it with a persevering zeal. At this time she ventured to lay aside somewhat of her usual reserve; and the aid which she expected from the popish princes, who had engaged in the league of Bayonne, encouraged her to take a step, which, if we consider the temper of the nation, appears to be extremely bold. Having formerly held a secret correspondence with the court of Rome, she now resolved to allow a nuncio from the pope publicly to enter her dominions. Cardinal Laurea, at that time bishop of Mondovi, was the person on whom Pius V. conferred this office, and along with him he sent the queen

<sup>1</sup> D'Ewes' Journ. 104—130. Camb. 399. Melv. 119. Haynes, 446.  
<sup>m</sup> Camd. 401.

<sup>n</sup> Haynes, 449.

a present of twenty thousand crowns.<sup>2</sup> It is not the character of the papal court to open its treasury upon distant or imaginary hopes. The business of the nuncio into Scotland could not be other than to attempt a reconciliation of that kingdom to the Romish see. Thus Mary herself understood it; and, in her answer to a letter which she received from the pope, after expressing her grateful sense of his paternal care and liberality, she promises that she would bend her whole strength towards the re-establishment and propagation of the Catholic faith; that she would receive the nuncio with every possible demonstration of respect, and concur with the utmost vigour, in all his designs, towards promoting the honour of God, and restoring peace to the kingdom, that she would celebrate the baptism of the prince according to the ceremonies which the Romish ritual prescribes, hoping that her subjects would be taught by this example, again to reverence the sacraments of the church, which they had so long treated with contempt; and that she would be careful to instil early into her son the principles of a sincere love and attachment to the Catholic faith.<sup>3</sup> But though the nuncio was already arrived at Paris, and had sent over one of his attendants with part of the money, the queen did not think the juncture proper for his reception. Elizabeth was preparing to send a magnificent embassy into Scotland, against the time of the prince's baptism, and as it would have been improper to offend her, she wisely contrived, under various pretences, to detain Laurea at Paris.<sup>4</sup> The convulsions into which the kingdom was thrown soon after, made it impossible for him to pursue his journey any farther.

At the very time that Mary was secretly carrying on the negotiations for subverting the reformed church, she did not scruple publicly to employ her authority towards obtaining for its ministers a more certain and comfortable subsistence.<sup>5</sup> During this year, she issued several proclamations and acts of council for that purpose, and readily

<sup>2</sup> Vita Card. Laur. ap. Burn. vol. iii. p. 325.

<sup>3</sup> Conæi Vita Mariæ, ap. Jeb. vol. ii. p. 51.

<sup>4</sup> Keith, App. 135.

<sup>5</sup> Keith, 561, 562. Knox, 401.

approved of every scheme which was proposed for the more effectual payment of their stipends. This part of her conduct does little honour to Mary's integrity; and, though justified by the example of princes, who often reckon falsehood and deceit among the necessary acts of government, and even authorized by the pernicious casuistry of the Roman church, which transfers breach of faith to heretics from the list of crimes to that of duties; such dissimulation, however, must be numbered among those blemishes which never stain a truly great and generous character.

December.  
Her aver-  
sion for  
the king  
excessive. As neither the French nor Piedmontese ambassadors were yet arrived, the baptism of the prince was put off from time to time. Meanwhile, Mary fixed her residence at Craigmillar.<sup>s</sup> Such a retirement, perhaps, suited the present temper of her mind, and induced her to prefer it before her own palace of Holyrood-house. Her aversion for the king grew every day more confirmed, and was become altogether incurable. A deep melancholy succeeded to that gaiety of spirit which was natural to her. The rashness and levity of her own choice, and the king's ingratitude and obstinacy, filled her with shame and despair. A variety of passions preyed at once on a mind, all whose sensations were exquisite, and all its emotions strong, and often extorted from her the last wish of the unfortunate, that life itself might come to an end.<sup>t</sup>

But as the earl of Bedford, and the count de Brienne, the English and French ambassadors, whom she had long expected, arrived about this time, Mary was obliged to suppress what passed in her bosom, and to set out for Stirling, in order to celebrate the baptism of her son. Bedford was attended by a numerous and splendid train, and brought presents from Elizabeth, suitable to her own dignity, and the respect with which she affected, at that time, to treat the queen of Scots. Great preparations had been made by Mary, and the magnificence displayed by her on this occasion exceeded whatever had been formerly known in

Dec. 17. Scotland. The ceremony itself was performed according to the rites of the Romish church. But neither Bedford nor any of the Scottish nobles who professed the Protestant religion, entered within the gates of the chapel.<sup>u</sup> The spirit of that age, firm and uncomplying, would not, upon any inducement, condescend to witness an action which it deemed idolatrous.

The king's capricious behaviour covers the excess of his caprice, as well as of his folly. He chose to reside at Stirling, but confined himself to his own apartment; and, as the queen distrusted every nobleman who ventured to converse with him, he was left in absolute solitude. Nothing could be more singular, or was less expected, than his choosing to appear in a manner that both published the contempt under which he had fallen, and, by exposing the queen's domestic unhappiness to the observation of so many foreigners, looked like a step taken on purpose to mortify and offend her. Mary felt this insult sensibly; and notwithstanding all her efforts to assume the gaiety which suited the occasion, and which was necessary for the polite reception of her guests, she was sometimes obliged to retire, in order to be at liberty to indulge her sorrow, and give vent to her tears.<sup>x</sup> The king still persisted in his design of retiring into foreign parts, and daily threatened to put it into execution.<sup>y</sup>

<sup>u</sup> Keith, 360.

<sup>x</sup> Ibid. Pref. vii.

<sup>y</sup> Camden affirms, 401. that Bedford was commanded by Elizabeth not to give to Darnley the title of king. As this was an indignity not to be borne either by Mary or her husband, it hath been asserted to be the cause of the king's absence from the ceremony of his son's baptism. Keith, 360. Good. 319. But, 1. No such thing is to be found among Bedford's instructions, the original of which still remains. Keith, 356. 2. Bedford's advice to the queen by Melvil is utterly inconsistent with Camden's assertion. Melv. 153. Melvil's account is confirmed by Elizabeth's instructions to Sir Henry Norris, where she affirms that she commanded Bedford to employ his best offices towards reconciling Mary to her husband, which she had attempted to no purpose. Digges's Compl. Amb. p. 13. The paper which follows proves the same thing. 3. Le Croc, the French resident, mentions the king's absence, but without giving that reason for it, which has been founded on Camden's words, though if that had been the real one, it is hardly possible to conceive that he should have neglected to mention it. Le Croc's first letter is dated December 2, some time prior to the arrival of the earl of Bedford in Scotland; and when his instructions, either public or secret, could hardly be known. Le Croc plainly supposes that the discord between the king and queen was the cause of his absence from the baptism, and his account of this matter is that which I have followed. Keith, Pref. vii. 4. He informs his court, that on account of the

Elizabeth  
endea-  
vours to  
accommo-  
date her  
differences  
with Mary.

The ceremony of witnessing the prince's baptism was not the sole business of Bedford's embassy. His instructions contained an overture which ought to have gone far towards extinguishing those jealousies which had so long subsisted between the two queens. The treaty of Edinburgh which had been so often mentioned, was the principal occasion of these. The spirit, however, which had risen to such a height in the late parliament, the power of the party which favoured the Scottish queen's title, the number and activity of her agents in different parts of the kingdom, alarmed Elizabeth, and induced her to forego any advantage which the ambiguous and artful expressions in that treaty might afford her. Nothing was now demanded of Mary, but to renounce any title to the crown of England during Elizabeth's life and the lives of her posterity; who, on the other hand, engaged to

difference betwixt the king and the queen, he had refused to hold any farther correspondence with the former, though he appears, in many instances, to have been his great confidant. *Ibid.* 5. As the king was not present at the baptism, he seems to have been excluded from any share in the ordinary administration of business. Two acts of privy-council, one on the 20th, and the other on the 21st of December, are found in Keith, 562. They both run in the queen's name alone. The king seems not to have been present. This could not be owing to Elizabeth's instructions to Bedford.

*Part of a Letter from Elizabeth to Mary, Feb. 20, 1569. A copy interlined by Cecil. It contains an answer to a complaining Letter of Mary's upon the imprisoning of the Bishop of Ross.*

— After this [i. e. Mary's landing in Scotland] how patiently did I bear with many vain delays in not ratifying the treaty accorded by your own commissioners, whereby I received no small unkindness, besides the manifold causes of suspicion that I might not hereafter trust to any writings. Then followed a hard manner of dealing with me, to intice my subject and near kinsman, the Lord Darnly, under colour of private suits for land, to come into the realm, to proceed in treaty of marriage with him without my knowledge, yea to conclude the same without my assent or liking. And how many unkind parts accompany'd that fact, by receiving of my subjects that were base runnagates and offenders at home, and enhancing them to places of credit against my will, with many such like, I will leave, for that the remembrance of the same cannot but be noysome to you. And yet all these did I as it were suppress and overcome with my natural inclination of love towards you; and did afterwards gladly, as you know, christen your son, the child of my said kinsman, that had before so unlovely offended me, both in marriage of you, and in other undutiful usages towards me his sovereign. How friendly also dealt I by messages to reconcile him, being your husband, to you, when others nourished discord betwixt you, who as it seemed had more power to work their purposes, being evil to you both, than I had to do you good, in respect of the evil I had received. Well I will overpass your hard accidents that followed for lack of following my council. And then in your most extremity, when you was a prisoner indeed and in danger of your life from your notorious evil willers, how far from my mind was the remembrance of any former unkindness you had shewed me. Nay, how void was I of respect to the designs which the world had seen attempted by you to my crown, and the security that might have ensued to my state by your death, when I finding your calamity to be great, that you were at the pit's brink to have miserably lost your life, did not only intreat for your life, but so threatened some as were irritated against you, that I only may say it, even I was the principal cause to save your life.

take no step which might prove injurious to Mary's claim upon the succession.<sup>2</sup>

Mary could not, with decency, reject a proposition so equitable; she insisted, however, that Elizabeth should order the right upon which she claimed, to be legally examined and publicly recognized; and particularly that the testament of Henry VIII., whereby he had excluded the descendants of his eldest sister the queen of Scotland, from the place due to them in the order of succession, might be produced, and considered by the English nobility. Mary's ministers had credulously embraced an opinion, that this testament, which they so justly conceived to be injurious to their mistress, was a mere forgery; and, on different occasions, had urged Elizabeth to produce it. Mary would have suffered considerably by gaining this point. The original testament is still extant, and not the least doubt can be entertained of its genuineness and authenticity. But it was not Elizabeth's intention to weaken or to set aside the title of the house of Stewart. She aimed at nothing more, than to keep the question concerning the succession perplexed and undecided, and, by industriously eluding this request, she did in one respect, real service to Mary's cause.<sup>3</sup>

A few days after the baptism of the prince, Morton and all the other conspirators against Rizio obtained their pardon, and leave to return into Scotland. Mary, who had hitherto continued inexorable to every entreaty in their behalf, yielded at last to the solicitations of Bothwell.<sup>b</sup> He could hope for no success in those bold designs on which his ambition resolved to venture, without drawing aid from every quarter. By procuring a favour for Morton and his associates, of which they had good reason to despair, he expected to secure a band of faithful and determined adherents.

The king still remained at Stirling in solitude and under contempt. His impatience in this situation, together with

<sup>2</sup> Keith, §56.

<sup>a</sup> Rymer, xv. p. 110. Keith, 358. Note (c), Murden, 368.

<sup>b</sup> Good. vol. i. 140. Melv. 154.

the alarm given him by the rumour of a design to seize his person, and confine him to prison,<sup>c</sup> was the occasion of his leaving that place in an abrupt manner, and retiring to his father at Glasgow.

June 25. Two assemblies of the church were held during this  
Dec. 25. year. New complaints were made, and upon good  
Church grounds, of the poverty and contempt under which  
affairs. the Protestant clergy were suffered to languish. Penurious as the allotment for their subsistence was, they had not received the least part of what was due for the preceding year.<sup>d</sup> Nothing less than a zeal, ready to endure and to suffer every thing for a good cause, could have persuaded men to adhere to a church so indigent and so neglected. The extraordinary expenses occasioned by the prince's baptism had exhausted the queen's treasury, and the sums appropriated for the subsistence of the clergy were diverted into other channels. The queen was therefore obliged to prevent the just remonstrances of the assembly, by falling on some new method for the relief of the church. Some symptoms of liberality, some stretch towards munificence, might have been expected in an assignment which was made with an intention of soothing and silencing the clergy; but both the queen and the nobles held fast the riches of the church which they had seized. A sum which, at the highest computation, can hardly be reckoned equal to 9000*l.* sterling,<sup>e</sup> was deemed sufficient for the maintenance of a whole national church, by men who had lately seen single monasteries possessed of revenues far superior in value.

The ecclesiastics in that age bore the grievances which affected themselves alone with astonishing patience; but, wherever the reformed religion was threatened, they were extremely apt to be alarmed, and to proclaim, in the loudest manner, their apprehensions of danger. A just occasion of this kind was given them a short time before the meeting of the assembly. The usurped and oppressive jurisdiction of the spiritual courts had been abolished by the parliament,

<sup>c</sup> Keilh, Pref. viii.

<sup>d</sup> Ibid. 562.

<sup>e</sup> Ibid.

in the year 1560, and commissaries were appointed to hear and determine the causes which formerly came under their cognizance.<sup>f</sup> Among the few acts of that parliament to which Mary had paid any regard, this was one. She had confirmed the authority of the commissaries, and had given them instructions for directing their proceedings,<sup>g</sup> which are still of great authority in that court. From the time of their first appointment, these judges had continued in the uninterrupted exercise of their function, when of a sudden the queen issued a proclamation, restoring the archbishop of St. Andrew's to his ancient jurisdiction, and depriving the commissaries of all authority.<sup>h</sup>

A motive, which cannot be justified, rendered the queen not unwilling to venture upon this rash action. She had been contriving for some time how to re-establish the Popish religion; and the restoring the ancient ecclesiastics to their former jurisdiction seemed to be a considerable step towards that end. The motive which prompted Bothwell, to whose influence over the queen this action must be chiefly imputed,<sup>i</sup> was still more criminal. His enterprising ambition had already formed that bold design, which he soon after put in execution; and the use which we shall hereafter find him making of that authority which the Popish ecclesiastics regained, discovers the reasons of his present conduct, in contributing to revive their power. The Protestant clergy were not unconcerned spectators of an event which threatened their religion with unavoidable destruction; but as they despaired of obtaining the proper remedy from the queen herself, they addressed a remonstrance to the whole body of the Protestant nobility, full of that ardent zeal for religion, which the danger to which it was exposed at that time, seemed to require.<sup>k</sup> What effects this vehement exhortation might have produced, we have no opportunity of judging, the attention of the nation being quickly turned towards events of another and more tragical nature.

<sup>f</sup> Keith, 152.<sup>g</sup> Ibid. 251.<sup>h</sup> Knox, 403.<sup>i</sup> Id. *ibid.*<sup>k</sup> Keith, 567.



The king  
falls sick  
at Glas-  
gow.  
1567.

Immediately upon the king's having Stirling, and before he could reach Glasgow, he was seized with a dangerous distemper. The symptoms which attended it were violent and unusual, and in that age it was commonly imputed to the effects of poison.<sup>1</sup> It is impossible, amidst the contradictions of historians, to decide with certainty concerning its nature or its cause.<sup>m</sup> His life was in the utmost danger; but, after lingering for some weeks the vigour of his constitution surmounted the malignity of his disease.

Neglect-  
ed by  
Mary.

Mary's neglect of the king on this occasion was equal to that with which he had treated her during her illness at Jedburgh. She no longer felt that warmth of conjugal affection which prompts to sympathy, and delights in all those tender offices which sooth and alleviate sickness and pain. At this juncture, she did not even put on the appearance of this passion. Notwithstanding the king's danger, she amused herself with excursions to different parts of the country, and suffered near a month to elapse before she visited him at Glasgow. By that time the violence of the distemper was over, and the king, though weak and languishing, was out of all danger.

The  
breach  
between  
them irre-  
parable.

The breach between Mary and her husband was not occasioned by any of those slight disgusts which interrupt the domestic union without dissolving it altogether. Almost all the passions which operate with greatest violence on a female mind, and drive it to

<sup>1</sup> Melv. 154. Knox, 401.

<sup>m</sup> Buchanan and Knox are positive that the king had been poisoned. They mention the black and putrid pustules which broke out all over his body. Buchanan adds, that Abernethy, the king's physician, plainly declared that poison was the cause of these symptoms, and that the queen refused to allow her own physician to attend him. Buch. 349. Knox, 401. 2 Blackwood, Causin, &c. Jebb, vol. ii. 59. 214. assert, that the small-pox was the disease with which the king was seized. He is called a *pockish man* in the queen's letter. Good. vol. ii. 15. The reason given by *French Paris* for lodging the king at the Kirk of Field, viz. lest the young prince should catch the infection if he staid in the palace, seems to favour this opinion. Anders. vol. ii. 193. Carte mentions it as a proof of Mary's tenderness to her husband, that though she never had the small-pox herself, she ventured to attend him, vol. iii. 446. This, if it had been true, would have afforded a good pretence for not visiting him sooner; but Mary had the small-pox in her infancy. Sadler's Letters, p. 330. An additional proof of this is produced from a poem of Adrian Turnebus, by the publisher of ancient Scottish poems, p. 308. 3. Bishop Lesly affirms, that the king's disease was the French pox. Keith, 364, note (b). In that age, this disease was esteemed so contagious, that persons infected with it were removed without the walls of cities.

the most dangerous extremes, concurred in raising and fomenting this unhappy quarrel. Ingratitude for the favours she had bestowed, contempt of her person, violations of the marriage-vow, encroachments on her power, conspiracies against her favourites, jealousy, insolence, and obstinacy, were the injuries of which Mary had great reason to complain. She felt them with the utmost sensibility; and, added to the anguish of dissappointed love, they produced those symptoms of despair which we have already described. Her resentment against the king seems not have abated from the time of his leaving Stirling. In a letter written with her own hand to her ambassador in France, on the day before she set out for Glasgow, no tokens of sudden

Jan. 20. reconciliation appear. On the contrary, she mentions with some bitterness, the king's ingratitude, the jealousy with which he observed her actions, and the inclination he discovered to disturb her government, and at the same time talks of all his attempts with the utmost scorn.<sup>n</sup>

Visits the king at Glasgow. After this discovery of Mary's sentiments, at the time of her departure from Edinburgh to Glasgow, a visit to the king, which had been neglected when his situation rendered it most necessary, appears singular, and it could hardly be expected that any thing but marks of jealousy and distrust should appear in such an interview. This, however, was far from being the case; she not only visited Henry, but, by all her words and actions, endeavoured to express an uncommon affection for him: and, though this made impression on the credulous spirit of her husband, no less, flexible on some occasions, than obstinate on others; yet to those who are acquainted with the human heart, and who know how seldom and how slowly such wounds in domestic happiness are healed, this sudden transition will appear with a very suspicious air, and will be considered by them as the effect of artifice.

Her dissimulation. But it is not on suspicion alone, that Mary is charged with dissimulation in this part of her conduct. Two

of her famous letters to Bothwell were written during her stay at Glasgow, and fully lay open this scene of iniquity. He had so far succeeded in his ambitious and criminal design, as to gain an absolute ascendant over the queen; and, in a situation such as Mary's, merit not so conspicuous, services of far inferior importance, and address much less insinuating than Bothwell's, may be supposed to steal imperceptibly on a female heart, and entirely to overcome it. Unhappily, among those in the higher ranks of life, scruples with regard to conjugal fidelity, are, often, neither many nor strong: nor did the manners of that court, in which Mary had been educated, contribute to increase or to fortify them. The amorous turn of Francis I. and Henry II., the licentiousness of the military character in that age, and the liberty of appearing in all companies, which began to be allowed to women, who had not yet acquired that delicacy of sentiment, and those polished manners, which alone can render this liberty innocent, had introduced, among the French, an astonished relaxation in domestic morals. Such examples, which were familiar to Mary from her infancy, could hardly fail of diminishing that horror of vice which is natural to a virtuous mind. The king's behaviour would render the first approach of forbidden sentiments less shocking; resentment, and disappointed love, would be apt to represent whatever soothed her revenge, as justifiable on that account; and so many concurring causes might, almost imperceptibly, kindle a new passion in her heart.

The motives of it. But whatever opinion we may form with regard to the rise and progress of this passion, the letters themselves breathe all the ardour and tenderness of love. The affection which Mary there expresses for Bothwell, fully accounts for every subsequent part of her conduct; which, without admitting this circumstance, appears altogether mysterious, inconsistent, and inexplicable. That reconciliation with her husband, of which, if we allow it to be genuine, it is impossible to give any plausible account,

is discovered by the queen's own confession, to have been mere artifice and deceit. As her aversion for her husband, and the suspicious attention with which she observed his conduct, became universally known, her ears were officiously filled, as is usual in cases, with groundless or aggravated accounts of his actions. By some she was told, that the king intended to seize the person of the prince his son, and in his name to usurp the government; by others she was assured that he resolved instantly to leave the kingdom; that a vessel was hired for this purpose, and lay in the river Clyde ready to receive him.\* The last was what Mary chiefly dreaded. Henry's retiring into a foreign country must have been highly dishonourable to the queen, and would have entirely disconcerted Bothwell's measures. While he resided at Glasgow, at a distance from her, and in that part of the kingdom where the interest of his family was greatest, he might with more facility accomplish his designs. In order, therefore, to prevent his executing any such wild scheme, it was necessary to bring him to some place where he would be more immediately under her own eye.

Prevails  
on him to  
come to  
Edin-  
burgh.

For this purpose, she first employed all her art to regain his confidence, and then proposed to remove him to the neighbourhood of Edinburgh, under pretence that there he would have easier access to the advice of physicians, and that she herself could attend him without being absent from her son.<sup>p</sup> The king was weak enough to suffer himself to be persuaded; and being still feeble, and incapable of bearing fatigue, was carried in a litter to Edinburgh.

The place prepared for his reception was a house belonging to the provost of a collegiate church, called Kirk of Field. It stood almost upon the same spot where the house belonging to the principal of the university now stands. Such a situation, on a rising ground, and at that time in an open field, had all the advantages of healthful air to recommend it; but, on the other hand, the solitude

\* Keith, Pref. viii.

<sup>p</sup> Good, vol. ii. 8.

of the place rendered it extremely proper for the commission of that crime, with a view to which it seems manifestly to have been chosen.

He is murdered there. Mary continued to attend the king with the most assiduous care. She seldom was absent from him through the day; she slept two nights in the chamber under his apartment. She heaped on him so many marks of tenderness and confidence as in a great measure quieted those suspicions which had so long disturbed him. But while he was fondly indulging in dreams of the return of his former happiness, he stood on the very brink of destruction. On Sunday the 9th of February, about eleven at night, the queen left the Kirk of Field, in order to be present at a masque in the palace. At two next morning, the house in which the king lay was blown up with gunpowder. The noise and shock which this sudden explosion occasioned, alarmed the whole city. The inhabitants ran to the place whence it came. The dead body of the king, with that of a servant who slept in the same room, were found lying in an adjacent garden without the city wall, untouched by fire, and with no bruise or mark of violence.

His character. Such was the unhappy fate of Henry Stewart lord Darnley, in the twenty-first year of his age. The indulgence of fortune, and his own external accomplishments, without any other merit, had raised him to a height of dignity, of which he was altogether unworthy. By his folly and ingratitude, he lost the heart of a woman who doated on him to distraction. His insolence and inconstancy alienated from him such of the nobles as had contributed most zealously towards his elevation. His levity and caprice exposed him to the scorn of the people, who once revered him as the descendant of their ancient kings and heroes. Had he died a natural death, his end would have been unlamented, and his memory have been forgotten; but the cruel circumstances of his murder, and the shameful remissness in neglecting to avenge it, have made his name to be remembered with regret, and have rendered him the object of pity, to which he had otherwise no title.

Every one's imagination was at work to guess who

Bothwell had contrived and executed this execrable deed. The suspicion fell, with almost general consent on Bothwell;<sup>q</sup> and some reflections were thrown out, as if the queen herself were no stranger to the crime.

Of Bothwell's guilt there remains the fullest evidence that the nature of the action will admit. The queen's known sentiments with regard to her husband, gave a great appearance of probability to the imputation with which she was loaded.<sup>r</sup>

Two days after the murder, a proclamation was issued by the queen, offering a considerable reward to any person who should discover those who had been guilty of such a horrid and detestable crime;<sup>s</sup> and though Bothwell was now one of the greatest subjects in the kingdom, formidable on account of his own power, and protected by the queen's favour, it was impossible to suppress the sentiments and indignation of the people. Papers were affixed to the most public places of the city, accusing him of the murder, and naming his accomplices; pictures appeared to the same purpose, and voices were heard in the middle of the night, charging him with that barbarous action. But the authors of these rumours did not confine their accusations to Bothwell alone; they insinuated that the queen herself was accessory to the crime.<sup>t</sup> This bold accusation, which so directly attacked Mary's reputation, drew the attention of her council; and, by engaging them in an inquiry after the authors of these libels, diverted them from searching for the murderers of the king.<sup>u</sup> It could scarce be expected that Mary herself would be extremely solicitous to discover those who had rid her of a husband, whom she had so violently hated. It was Bothwell's interest, who had the supreme direction of this, as well as of all other affairs, to stifle and suppress whatever evidence should be offered, and to cover, if possible, the whole transaction under the veil of darkness and of silence. Some inquiry, however, was made, and some persons called before the council; but the exa-

<sup>q</sup> Melv. 155. Anders. vol. ii. 156.

<sup>r</sup> See Dissertation concerning the murder of Henry Darnley, and the genuineness of Mary's letters to Bothwell, Appendix.

<sup>s</sup> Anders. vol. i. 36.

<sup>t</sup> Id. vol. ii. 156.

<sup>u</sup> Id. vol. i. 38.

mination was conducted with the most indecent remissness, and in such a manner as to let in no light upon that scene of guilt.\*

It was not her own subjects alone who suspected Mary of having been accessory to this unnatural crime; nor did an opinion, so dishonourable to her character, owe its rise and progress to the jealousy and malice of her factious nobles. The report of the manner and circumstances of the king's murder spread quickly over all Europe, and, even in that age, which was accustomed to deeds of violence, it excited universal horror. As her unhappy breach with her husband had been long matter of public discourse, the first conjectures which were formed with regard to his death, were extremely to her disadvantage. Her friends, at a loss what apology to offer for her conduct, called on her to prosecute the murderers with the utmost diligence, and expected that the rigour of her proceedings would prove the best and fullest vindication of her innocence.†

Lennox ac-  
cuses Both-  
well of the  
king's murder.

Lennox at the same time incited Mary to vengeance with incessant importunity. This nobleman had shared in his son's disgrace, and being treated

by Mary with neglect, usually resided at a distance from court. Roused, however, by an event no less shocking to the heart of a father, than fatal to all his schemes of ambition, he ventured to write to the queen, and to

Feb. 21. offer his advice with respect to the most effectual method of discovering and convicting those who had so cruelly deprived him of a son, and her of a husband. He urged her to prosecute those who were guilty with vigour, and to bring them to a speedy trial; he declared his own suspicion of Bothwell, and of those who were named as his accomplices; he required that, out of regard to decency, and in order to encourage evidence to appear against them, the persons accused of such an atrocious crime should be committed to custody, or at least excluded her court and presence.‡

Mary was then at Seaton, whither she had retired after

\* Anders. vol. iv. part. ii. 167, 168.

† Keith, Pref. ix.

‡ Id. 369, &c.

the burial of the king, whose body was deposited among the monarchs of Scotland, in a private but decent manner.<sup>a</sup> The former part of the earl's demand could not on any pretence be eluded; and it was resolved to bring Bothwell immediately to trial. But, instead of confining him to any prison, Mary admitted him into all her councils, and allowed a person, universally reputed the murderer of her husband, to enjoy all the security, the dignity, and the power of a favourite.<sup>b</sup> The offices which Bothwell already possessed, gave him the command of all the South of Scotland. The castle of Edinburgh, however, was a place of so much consequence, that he wished earnestly to have it in his power. The queen, in order to prevail on the earl of Mar to surrender it, consented to put the person of the young prince in his hands, and immediately bestowed the government of that important fortress upon Bothwell.<sup>c</sup> So many steps in her conduct inconsistent with all the rules of prudence and of decency, must be imputed to an excess either of folly or of love. Mary's known character fully vindicates her from the former; of the latter, many and striking proofs soon appeared.

Mary continues to favour him.  
March 19. No direct evidence had yet appeared against Bothwell; but as time might bring to light the circumstances of a crime in which so many accomplices were concerned, it was of great importance to hurry over the trial, while nothing more than general suspicions, and uncertain surmises, could be produced by his accusers. For this reason, in a meeting of a privy-council held on the 28th of March, the 12th of April was appointed for the day of trial. Though the law allowed, and the manner in which criminal causes were carried on in that age required, a much longer interval, it appears from several circumstances that this short space was considerably contracted, and that Lennox had only eleven days' warning to prepare for accusing a person so far superior to himself both in power and in favour.<sup>d</sup> No man could be less in a condition to contend

<sup>a</sup> Anders. vol. i. 23. <sup>b</sup> Ibid. vol. i. 40, &c. <sup>c</sup> Ibid. vol. i. Pref. 64. Keith, 379.

<sup>d</sup> The act of privy-council, appointing the day of Bothwell's trial, bears date March the 28th, which happened on a Thursday. Anders, vol. i. 50. The queen's warrant



with an antagonist who was thus supported. Though Lennox's paternal estate had been restored to him when he was recalled into Scotland, it seems to have been considerably impaired during his banishment. His vassals, while he resided in England, had been accustomed to some degree of independence, and he had not recovered that ascendant over them, which a feudal chief usually possessed. He had no reason to expect the concurrence of any of those factions into which the nobles were divided. During the short period of his son's prosperity, he had taken such steps as gave rise to an open breach with Murray and all his adherents. The partisans of the house of Hamilton were his hereditary and mortal enemies. Huntly was linked in the closest confederacy with Bothwell: and thus, to the disgrace of the nation, Lennox stood alone in a cause where both honour and humanity called so loudly on his countrymen to second him.

It is remarkable too, that Bothwell himself was present, and sat as a member in that meeting of privy-council, which gave directions with regard to the time and manner of his own trial; and he still enjoyed not only full liberty, but was received into the queen's presence with the same distinguished familiarity as formerly.\*

Lennox  
craves a  
delay.

Nothing could be a more cruel disappointment to the wishes and resentment of a father, than such a premature trial; every step towards which seemed to be taken by directions from the person who was himself accused of the crime, and calculated on purpose to conceal rather than to detect his guilt. Lennox foresaw what would be the issue of this mock inquiry, and with how little safety

to the messengers, empowering them to summon Lennox to be present, is dated on the 29th. Anders. vol. ii. 97. He was summoned by public proclamation at the cross of Edinburgh on the same day. Ibid. 100. He was summoned at his dwelling-houses in Glasgow and Dumbarton the 30th of March, the 1st and 3d days of April. Ibid. 101. He was summoned at Perth, April 1st. Ibid. 102. Though Lennox resided at that time forty miles from Edinburgh, the citation might have been given him sooner. Such an unnecessary delay affords some cause for suspicion. It is true Mary, in her letter, March 24th, invited Lennox to come to Edinburgh the ensuing week; this gave him warning some days sooner, that she intended to bring on the trial without delay. But the precise time could not be legally or certainly known to Lennox sooner than ten or twelve days before the day on which he was required to appear. By the law and practice of Scotland, at that time, parties were summoned, in cases of treason, forty days previous to the trial.

\* Anders. vol. i. 50. 52.

to himself, or success to his cause, he could venture to appear on the day prefixed. In his former letters, though under expressions the most respectful, some symptoms of his distrusting the queen may be discovered. He spoke out now in plain language. He complained of the injury done him, by hurrying on the trial with such illegal precipitation. He represented once more the indecency of allowing Bothwell not only to enjoy personal liberty, but to retain his former influence over her councils. He again required her, as she regarded her own honour to give some evidence of her sincerity in prosecuting the murderer, by confining the person who was on good grounds suspected to be the author of it; and, till that were done, he signified his own resolution not to be present at a trial, the manner and circumstances of which were so irregular and unsatisfactory.<sup>f</sup>

Applies for this purpose to Elizabeth. He seems, however, to have expected little success from this application to Mary; and therefore at the same time besought Elizabeth to interpose, in order to obtain such a delay as he demanded.<sup>g</sup> Nothing can be a stronger proof how violently he suspected the one queen, than his submitting to implore the aid of the other, who had treated his son with the utmost contempt, and himself and family with the greatest rigour. Elizabeth, who was never unwilling to interpose in the affairs of Scotland, wrote instantly to Mary, advised her to delay the trial for some time, and urged in such strong terms the same arguments which Lennox had used, as might have convinced her to what an unfavourable construction her conduct would be liable, if she persisted in her present method of proceeding.<sup>h</sup>

<sup>f</sup> Anders. vol. i. 52.

<sup>g</sup> Good. vol. ii. 352.

<sup>h</sup> Anders. Pref. 60.

*Letter of Q. Elizabeth to Q. of Scots. Thus marked on the back with Cecil's hand.*—Copia Literarum Regiæ Majestatis ad Reginam Scotorum VIII<sup>o</sup> Aprilis.

Paper Office. Madame, vous ayant trop molesté par M. de Crocq, je n'eusse eu si peu de consideration de vous fascher de cette lettre, si les liens de charité vers les ruinez, et les prieres des miserables ne m'y contraignassent. Je entens que un edit a été divulgué de par vous, Madame, que ung chascun, que veult justifier que ons esté les meurtriers de votre feu mari, et mon feu cousin, viennent a le faire le xime de ce mois. La quelle chose, comme c'est plus honorable et necessaire, qui en tel cas se pourra faire, ne y estant caché quelque mistere ou finesse, ainsi le pere et amis du mort gentelhomme m'ont humblement requis, que je vous priasse de prolongue le jour, pour ce qu'ilz cognoissent que les iniques se sont combinés par force de

<sup>The trial proceeds.</sup> Neither her entreaties, however, nor those of Lennox, could prevail to have the trial put off. On the day appointed Bothwell appeared, but with such a formidable retinue, that it would have been dangerous to condemn, and impossible to punish him. Besides a numerous body of his friends and vassals assembled, according to custom, from different parts of the kingdom, he was attended by a band of hired soldiers, who marched with flying colours along the streets of Edinburgh.<sup>1</sup> A court of justice was held with the accustomed formalities. An indictment was presented against Bothwell, and Lennox was called upon to make good his accusation. In his name appeared Robert Cunningham, one of his dependants. He excused his master's absence, on account of the shortness of the time, which prevented his assembling his friends and vassals, without whose assistance he could not with safety venture to set himself in opposition to such a powerful antagonist. For this reason, he desired the court to stop proceeding, and protested, that any sentence which should be passed at that time ought to be deemed illegal and void. Bothwell, on the other hand, insisted that the court should instantly proceed to trial. One of Lennox's own letters, in which he craved of the queen to prosecute the murderers without delay, was produced. Cunningham's objections were overruled; and the jury, consisting of peers and barons of the first rank, found Bothwell not guilty of the crime.

<sup>Bothwell is acquitted.</sup> No person appeared as an accuser, not a single witness was examined, nor any evidence produced

faire ce que par droict ils ne pourront pas faire; partant, je ne puis mais sinon pour l'amour de vous meme, a qui il touche le plus, et pour la consolation des innocens, de vous exhorter le leur conceder cette requeste, laquelle, si elle les seroit nié, vous tourneroit grandement en soupçon, de plus que j'espere ne pensez, et que ne voudriez volontiers ouyr. Pour l'amour de Dieu, Madame, usez de telle sincerité et prudence en ce cas qui vos touche de si pres, qui tout le monde aye raison, de vous livrer comme innocente d'une crime si enorme, chose que si ne fistes, seriez dignement esbloyé hors de rancz de Princesses, et non sans cause faite opprobre de vulgaire, et plutot que cela vous avienne, je vous souhaiterois une sepulture honorable, qu'une vie maculée; vous voyez, Madame, qui je vous traite comme ma fille, et vous promets, qui se j'en eusse, ne luy souhaiterois mieux, que je vous desire, comme le Seigneur Dieu me porte tesmoignage, a qui je prie de bon cœur de vous inspirer a faire ce qui vous sera plus a honneur, et a vos amis plus de consolation, avec mes tres cordiales recommandations comme a icelle a qui se souhaite le plus de bien, qui vous pourra en ce monde avenir. De West. ce 8 jour de Janvier\* en haste.

† Anders. vol. i. 135.

\* A mistake in the date corrected with Cecil's hand VIII<sup>o</sup> Aprilis.

against him. The jury, under these circumstances, could do nothing else but acquit him. Their verdict, however, was far from gratifying the wishes, or silencing the murmurs, of the people. Every circumstance in the trial gave grounds for suspicion, and excited indignation; and the judgment pronounced, instead of being a proof of Bothwell's innocence, was esteemed an argument of his guilt. Pasquinades and libels were affixed to different places, expressing the sentiments of the public with the utmost violence of language.

The jury themselves seem to have been aware of the censure to which their proceedings would be exposed; and, at the same time that they returned their verdict acquitting Bothwell, the earl of Caithness protested, in their name, that no crime should be imputed to them on that account, because no accuser had appeared, and no proof was brought of the indictment. He took notice likewise, that the ninth instead of the tenth of February was mentioned in the indictment, as the day on which the murder had been committed: a circumstance which discovers the extreme inaccuracy of those who prepared the indictment; and at a time when men were disposed, and not without reason, to be suspicious of every thing, this small matter contributed to confirm and to increase their suspicions.<sup>k</sup>

Even Bothwell himself did not rely on the judgment which he had obtained in his favour as a full vindication of his innocence. Immediately after his acquittal, he, in compliance with a custom which was not then obsolete, published a writing, in which he offered to fight in single combat any gentleman of good fame, who should presume to accuse him of being accessory to the murder of the king.

Mary, however, continued to treat him as if he had been cleared by the most unexceptionable and satisfactory evidence. The ascendant he had gained over her heart, as well as over her councils, was more visible than ever; and Lennox, who could not expect that his own person could be safe in a country where the murderer of his son had been

<sup>k</sup> Bothw. Trial. Anders. vol. ii. 97, &c.

absolved, without regard to justice, and loaded with honours, in contempt of decency, fled with precipitation towards England.<sup>1</sup>

A parliament held, April 14. Two days after the trial, a parliament was held, at the opening of which the queen distinguished Bothwell, by appointing him to carry the sceptre before her.<sup>m</sup> Most of the acts passed in this assembly were calculated on purpose to strengthen his party, and to promote his designs. He obtained the ratification of all the possessions and honours which the partiality of the queen had conferred upon him; and the act to that effect contained the strongest declarations of his faithful services to the crown in all times past. The surrender of the castle of Edinburgh by Mar was confirmed. The law of attainder against Huntly was repealed, and he and his adherents were restored to the estates and honours of their ancestors. Several of those who had been on the jury which acquitted Bothwell, obtained ratifications of the grants made in their favour; and as pasquinades daily multiplied, a law passed whereby those into whose hands any paper of that kind fell, were commanded instantly to destroy it; and if, through their neglect, it should be allowed to spread, they were subjected to a capital punishment, in the same manner as if they had been the original authors.<sup>n</sup>

Remarkable law in favour of the Reformation. But the absolute dominion which Bothwell had acquired over Mary's mind appeared in the clearest manner, by an act in favour of the Protestant religion, to which at this time she gave assent. Mary's attachment to the Romish faith was uniform and superstitious; she had never laid aside the design, nor lost the hopes of restoring it. She had of late come under new engagements to that purpose, and in consequence of these had ventured upon some steps more public and vigorous than any she had formerly taken. But though none of these circumstances were unknown to Bothwell, there were powerful motives which prompted him at this juncture to conciliate the good-will of the Protestants, by exerting himself

<sup>1</sup> Keith, 378. Note (d.)

<sup>m</sup> *Ib. ibid.*

<sup>n</sup> *Ib.* 380.

in order to procure for them some additional security in the exercise of their religion. That which they enjoyed at present was very precarious, being founded entirely on the royal proclamation issued soon after the arrival of the queen into Scotland, which in express terms was declared to be only a temporary regulation. From that period, neither the solicitations of the general assemblies of the church, nor the entreaties of her people, could extort from Mary any concession in favour of the Protestant religion, on which the professors might rest with greater confidence. This, however, by the more powerful influence of Bothwell, they now obtained. An act was passed in this parliament, repealing all the laws, canon, civil, and municipal, adverse to the reformed religion, and exempting such as had embraced it from the penalties to which they might have been subjected by these laws, either on account of their past conduct or present profession; declaring at the same time that their persons, estates, honours, and benefices, were taken under public protection against every court, civil or ecclesiastical, that might attempt to molest them on account of their religious sentiments. Thus the Protestants, instead of holding their sacred rights by no better tenure than a declaration of royal indulgence, which might be revoked at pleasure, obtained legal and parliamentary protection in the exercise of their religion. By prevailing on the queen to assent to this law, Bothwell seems to have flattered himself that he would acquire such merit both with the clergy and with the people, as might induce them to favour his ambitious schemes, and to connive at what he had done, or might do, in order to accomplish them. The Protestants, accordingly, though this act was far from amounting to a legal establishment of the reformed faith, seem to have considered it as an additional security of such importance, that it was published among the laws enacted in a parliament held towards the close of this year, under very different leaders.\*

\* I am indebted to the accuracy of Sir David Dalrymple, for pointing out (*Remarks on the History of Scotland*, ch. 9.) a considerable error into which I had fallen with respect to this act, by supposing it to be so favourable to the doctrine of the Reformation, that the Parliament which met Dec. 15. could substitute nothing stronger or

Bothwell  
prevails  
on the no-  
bles to re-  
commend  
him as a  
husband  
to the  
queen.

Every step taken by Bothwell had hitherto been attended with all the success which his most sanguine wishes could expect. He had entirely gained the queen's heart; the murder of the king had excited no public commotion; he had been acquitted by his peers of any share in that crime; and their

more explicit in its place, and thought it sufficient to ratify it word for word. This error I have now corrected; but, after considering the act with particular attention, though I am satisfied that it neither established the reformed religion or the religion of the state, nor abolished popery, yet it granted such new and legal security to the Protestants, as was deemed, in that age, an acquisition of great value. The framers of the law seem manifestly to have viewed it in that light; after reciting, "that the queen, since her arrival, had attempted nothing contrary to the state of religion which she found publicly and universally standing, on which account she was most worthy to be served, honoured, and obeyed," &c.—the act goes on, "that as she intends to continue the same goodness and government in all times coming, the professors of the religion aforesaid may and shall have occasion to praise God for her happy and gracious government, &c. and to effect that, the professors of the religion aforesaid may assure themselves to be in full surety thereof, and of their lands, lives, &c. and may with the better will jeopard and hazard their lives and goods in her highness's service, against all enemies to her, and to the commonweal of this realm, &c. therefore our sovereign, with the advice of the whole estates in parliament," &c. then follow the statutory clauses mentioned in the text. The intention of passing the act is apparent, and it is drawn with great art. This art is peculiarly manifest in the concluding clause. In her first proclamation the queen hath declared, that it should continue in force only until she should take final order concerning religion with the advice of parliament. In this act the intention of taking farther order concerning religion is mentioned, probably with a view to please the queen; but it is worded with such studied dexterity, that the protection granted by this law is no longer to be regarded as temporary, or depending upon the queen taking such final order. Parl. 1. K. Ja. VI. c. 51. In the same light of an important acquisition of security to the reformed religion, this act is represented by the privy-council in a proclamation issued May 23, 1567. Keith, 571. Mary's principal adherents, in a paper subscribed by them, Sept. 12, 1568, declare, that she, "by the advice of the three estates, had satisfied the desire of the whole nobility in an act concerning all the points of religion passed in the parliament held April, 1567." Goodall, ii. 357. The same is asserted to be the intention and effect of this act in another public paper in the year 1570. Haynes, 621. This act is perfectly conformable to that system of policy by which Bothwell seems to have regulated his conduct both before and after this time, with a view of gaining the Protestants, particularly the clergy, by acts of indulgence and favour. On the 3d of October, 1566, when Bothwell's credit was very considerable, the queen, in a meeting of privy-council, where he was present, took measures for securing to the Protestant clergy more regular payment of their stipends; and on the 20th of December of that year, granted an assignation of a considerable sum to be applied for the support of the ministry. Keith, 360—362. In a meeting of privy-council, January 10, 1567, when all public transactions were entirely conducted by Bothwell, an act was passed in order to provide for the sustentation of ministers in boroughs, and Bothwell is named as one of the commissioners for carrying it into execution, with power to impose a tax on such boroughs as had no ministers, for raising a stipend. Keith, 570. In another meeting of privy-council, May 23, 1567, the queen, after mentioning the declaration which she had made in the year 1561, of her resolution to maintain that religion which she found established in the kingdom, and after taking notice of what additional security it had acquired by the late act of April 19th, with a view of giving still farther satisfaction to the Protestants, she declared that all licences which had been obtained from her by any persons, permitting them to exercise the rites of popish worship, were now revoked and annulled. Keith, 570—572. It deserves to be remarked, that, favourable as all these acts were to the Reformation, some bishops, whose ardent zeal for the old doctrines history records, were present in those meetings of privy-council in which they were passed. From considering all these particulars, one need not wonder that a law "anent cassing (as

decision had been in some sort ratified in parliament. But in a kingdom where the regal authority was so extremely limited, and the power of the nobles so formidable, he durst not venture on the last action, towards which all his ambitious projects tended, without their approbation. In order to secure this, he, immediately after the dissolution of parliament, invited all the nobles who were present April 19. to an entertainment. Having filled the house with his friends and dependants, and surrounded it with armed men,<sup>p</sup> he opened to the company his intention of marrying the queen, whose consent, he told them, he had already obtained ; and demanded their approbation of this match, which, he said, was no less acceptable to their sovereign, than honourable to himself.<sup>q</sup> Huntly and Seaton, who were privy to all Bothwell's schemes, promoted them with the utmost zeal ; and the popish ecclesiastics, who were absolutely devoted to the queen, and ready to sooth all her passions, instantly declared their satisfaction with what he had proposed. The rest, who dreaded the exorbitant power which Bothwell had acquired, and observed the queen's growing affection towards him in all her actions, were willing to make a merit of yielding to a measure which they could neither oppose nor defeat. Some few were confounded and enraged. But in the end Bothwell, partly by promises and flattery, partly by terror and force, prevailed on all who were present to subscribe a paper, which leaves a deeper stain than any occurrence in that age on the honour and character of the nation.

This paper contained the strongest declarations of Bothwell's innocence, and the most ample acknowledgment of his good services to the kingdom. If any future accusation should be brought against him on account of the

its title bears), annulling, and abrogating of all laws, acts, and constitutions, canone, civile, and municipal, with other constitutions, contrare to the religion now professit within the realme," confirmed by the royal assent of the queen, should be published among the statutes securing the Protestant religion. We find accordingly, in a very rare edition of the acts of parliament, imprintit at Edinburgh by Robert Lekprevik, printar to the King's majestie, 6 day of April, 1568, the act of April 19, inserted among the acts of the Regent's parliament in December.

<sup>p</sup> Good. vol. ii. 141.

<sup>q</sup> Anders. vol. i. 94.



king's murder, the subscribers promised to stand by him as one man, and to hazard their lives and fortunes in his defence. They recommended him to the queen as the most proper person she could choose for a husband: and if she should condescend to bestow on him that mark of her regard, they undertook to promote the marriage, and to join him with all their forces in opposing any person who endeavoured to obstruct it.\* Among the subscribers of this paper we find some who were the queen's chief confidants, others who were strangers to her councils, and obnoxious to her displeasure; some who faithfully adhered to her through all the vicissitudes of her fortune, and others who became the principal authors of her sufferings; some passionately attached to the Romish superstition, and others zealous advocates for the Protestant faith.<sup>5</sup> No common interest can be supposed to have united men of such opposite principles and parties, in recommending to their sovereign a step so injurious to her honour and so fatal to her peace. This strange coalition was the effect of much artifice, and must be considered as the boldest and most masterly stroke of Bothwell's address. It is observable, that amidst all the altercations and mutual reproaches of the two parties which arose in the kingdom, this unworthy transaction is seldom mentioned. Conscious on both sides, that in this particular their conduct could ill bear examination, and would redound little to their fame, they always touch upon it unwillingly, and with a tender hand, seeming desirous that it should remain in darkness, or be buried in oblivion. But as so many persons who, both at that time and ever after, possessed the queen's favour, subscribed this paper, the suspicion becomes strong, that Bothwell's ambitious hopes were neither unknown to Mary, nor disapproved by her.<sup>†</sup>

\* Anders. vol. i. 177.

<sup>5</sup> Keith, 382.

† Of all the different systems with regard to this transaction, that of Camden seems to be the least accurate, and the worst founded. He supposes that Bothwell was hated by Murray, Morton, &c. who had been his associates in the murder of the king, and that they now wanted to ruin him. He affirms, at the same time, that the subscriptions to this paper were obtained by them out of fear that Bothwell might sink in his hopes, and betrayed the whole bloody secret, 404. But besides the absurdity of supposing that any man's enemies would contribute towards raising him to such high dig-

These suspicions are confirmed by the most direct proof. Melvil at that time enjoyed a considerable share in her favour. He, as well as his brother, kept a secret correspondence in England with those who favoured her pretensions to that crown. The rumour of her intended marriage with Bothwell having spread early in that kingdom, excited universal indignation; and Melvil received a letter from thence, which represented, in the strongest terms, what would be the fatal effects of such an imprudent step. He put this letter into the queen's hands, and enforced it with the utmost warmth. She not only disregarded these remonstrances, but communicated the matter to Bothwell; and Melvil, in order to save his life, was obliged to fly from court, whither he durst not return till the earl's rage began to abate.<sup>u</sup> At the same time Elizabeth warned Mary of the danger and infamy to which she would expose herself by such an indecent choice: but an advice from her met with still less regard.\*

Bothwell carries the queen by Three days after the rising of parliament, Mary went from Edinburgh to Stirling, in order to visit

nity, on the uncertain hopes of being able afterward to deprive him of it; besides the impossibility of accomplishing such a marriage, if it had been either unknown to the queen, or disagreeable to her; we may observe that this supposition is destroyed by the direct testimony of the queen herself, who ascribes the consent of the nobles to Bothwell's artifices, *who purchased it by giving them to understand that we were content therewith.* Anders. vol. i. 94. 99. It would have been no small advantage to Mary, if she could have represented the consent of the nobles to have been their own voluntary deed. It is still more surprising to find Leslie ascribing this paper to Murray and his faction. Anders. vol. i. 26. The bishop himself was one of the persons who subscribed it. Keith, 383. The king's commissioners, at the conference held at York, 1568, pretended that none of the nobles, except the earl of Huntly, would subscribe this paper till a warrant from the queen was produced, by which they were allowed to do so; this warrant they had in their custody, and exhibited. Anders. vol. iv. part 2. 5. This differs from Buchanan's account, who supposes that all the nobles present subscribed the paper on the 19th, and that next day they obtained the approbation of what they had done, by way of security to themselves; 355.

<sup>u</sup> Melv. 516. According to Melvil, lord Herries likewise remonstrated against the marriage, and conjured the queen, on his knees, to lay aside all thoughts of such a dishonourable alliance; 156. But it has been observed that Herries is one of the nobles who subscribed the bond, April 19. Keith, 383. 2. That he is one of the witnesses to the marriage articles between the queen and Bothwell, May 14. Good. vol. ii. 61. 3. That he sat in council with Bothwell, May 17. Keith, 386. But this remonstrance of lord Herries against the marriage happened before those made by Melvil himself; 157. Melvil's remonstrance must have happened some time before the meeting of parliament; for, after offending Bothwell, he retired from court; he allowed his rage time to subside, and had again joined the queen when she was seized, April 24; 158. The time which must have elapsed by this account of the matter was perhaps sufficient to have gained Herries from being an opposer to become a promoter of the marriage. Perhaps Melvil may have committed some mistake with regard to this fact, so far as relates to lord Herries. He could not well be mistaken with regard to what himself did.

\* Anders. vol. i. 106.

force to the prince her son. Bothwell had now brought  
 Dunbar. his schemes to full maturity, and every precaution  
 being taken which could render it safe to enter on the last  
 and decisive step, the natural impetuosity of his spirit did  
 not suffer him to deliberate any longer. Under pretence  
 of an expedition against the freebooters on the borders, he  
 assembled his followers: and marching out of Edinburgh  
 with a thousand horse, turned suddenly towards Linlith-  
 gow, met the queen on her return near that place, dis-  
 persed her slender train without resistance, seized on her  
 April 24. person, and conducted her, together with a few of  
 her courtiers, as a prisoner to his castle of Dunbar.  
 She expressed neither surprise, nor terror, nor indigna-  
 tion, at such an outrage committed on her person, and  
 such an insult offered to her authority, but seemed to  
 yield without struggle or regret.<sup>7</sup> Melvil was at that time  
 one of her attendants; and the officer by whom he was  
 seized informed him that nothing was done without the  
 queen's own consent.<sup>2</sup> If we may rely on the letters pub-  
 lished in Mary's name, the scheme had been communicated  
 to her, and every step towards it was taken with her par-  
 ticipation and advice.<sup>3</sup>

Both the queen and Bothwell thought it of advantage  
 to employ this appearance of violence. It afforded her a  
 decent excuse for her conduct; and while she could plead  
 that it was owing to force rather than choice, she hoped  
 that her reputation, among foreigners at least, would es-  
 cape without censure, or be exposed to less reproach.  
 Bothwell could not help distrusting all the methods which  
 had hitherto been used for vindicating him from any con-  
 cern in the murder of the king. Something was still want-  
 ing for his security, and for quieting his guilty fears. This  
 was a pardon under the great seal. By the laws of Scot-  
 land the most heinous crime must be mentioned by name  
 in a pardon, and then all lesser offences are deemed to be  
 included under the general clause, *and all other crimes*

<sup>7</sup> Keith, 383.<sup>2</sup> Melv. 158.<sup>3</sup> Good. vol. ii. 37.

*whatsoever.*<sup>b</sup> To seize the person of the prince is high treason; and Bothwell hoped that a pardon obtained for this would extend to every thing of which he had been accused.

Is divorced from his own wife. Bothwell having now got the queen's person into his hands, it would have been unbecoming either

a politician or a man of gallantry to have delayed consummating his schemes. The first step towards this was to have his marriage with Lady Jane Gordon, the earl of Huntly's sister, dissolved.<sup>c</sup> In order to accomplish that, in a manner consistent with the ideas of the queen on one hand, and with the sentiments of his countrymen on the other, two different processes became necessary; one founded on the maxims of the canon law, the other accommodated to the tenets of the reformed church. Bothwell accordingly commenced a suit in his own name, in the spiritual court of the archbishop of St. Andrew's, the jurisdiction of which the queen had restored, by a

April 27. special commission granted for this purpose, and pleaded that Lady Jane and himself, being cousins within the prohibited degrees, and having married without a papal dispensation, their union was null from the beginning.<sup>d</sup> At the same time he prevailed with Lady Jane to apply to the Protestant Court of Commissaries for a divorce, on account of his having been guilty of adultery. The influence of Bothwell was of equal weight in both courts. In the course of four days, with the same indecent and suspicious precipitancy, the one declared the marriage to be

<sup>b</sup> Parl. 6. Jac. IV. c. 62.

<sup>c</sup> Anders. vol. iv. part ii. 61.

<sup>d</sup> In her own time, it was urged as an aggravation of the queen's guilt, that she gave her consent to marry the husband of another woman; and the charge has been often repeated since. But, according to Mary's own ideas, consonant to the principles of her religion, the marriage of Bothwell with Lady Jane Gordon was unlawful and void, and she considered them as living together not in the hallowed bonds of matrimony, but in a state of criminal intercourse. Bothwell's addresses, which struck her Protestant subjects not only as indecent but flagitious, could not appear in the same light to her; and this may be pleaded in extenuation of the crime imputed to her of having listened to them. But it will not exempt her from the charge of great imprudence in this unfortunate step. Mary was well acquainted with the ideas of her subjects, and knew what they would think of her giving ear for a moment to a courtship of a man lately married under her own eye in the church of her palace. Every consideration should have restrained her from forming this union, which to her people must have appeared odious and shocking. Remarks on the History of Scotland, p. 199, &c.

illegal and null, the other pronounced a sentence of divorce.\*

While this infamous transaction was carrying on, the queen resided at Dunbar, detained as a prisoner, but

\* Anders. i. 132.

*Account of the sentence of divorce between the Earl of Bothwell and Lady Jean Gordon his wife. From a manuscript belonging to Mr. David Falconer, advocate. Fol. 455.*

Upon the 29 of Apryle 1567, before the Richt Hon. Mr. Robert Maitland, dean of Aberdene, Mr. Edward Henryson, doctor in the laws, two of the senators of the college of justice, Mr. Clement Little, and Mr. Alexander Syme, advocattis, commissers of Edin<sup>g</sup>; compeered Mr. Henry Kinrosse, procurator for Jean Gourdoune Countess of Bothwell, constitute be her for pursewing of ane proces of divorcement intendit by her contra James Erle Bothwel her husband for adultery, committed be him with Bessie Crawford the pursuer's servant for the time; and sicklyke, for the said Erle, compeared Mr. Edmond Hay, who efter he had pursued and craved the pursuer's procurator's oath de calumnia, if he had just caus to pursew the said action, and obtained it, denied the libell, and the said Mr. Harrie took the morne, the last day of Apryle, to prove the same pro prima. The quihilk day, having produced some witnesses, he took the next day, being the 1 of May, to do farther diligence. Upon the quihilk 1 of May, he produced some moe witnesses, and renounced farther probatioune. After quihilk, he desired a term to be assigned to pronounce sentence. To whom the said commissars assigned Saterdag next, the 3 of May, to pronounce sentence therein, secundum alegata et probata, quilk accordingly was given that day in favour of the pursewar.

At the same time there was another process intendit be the Erl of Bothwell contr his lady, for to have their marriage declared nul, as being contracted against the canons, without a dispensation, and he and his lady being within degrees defendand, viz. ferdis a kin, and that wyse for expeding of this proces, there was a commissioun grantit to the Archbishop of St. Androis to cognosce and determine it, and Ro<sup>t</sup>. Bishop of Dunkeld, William Bishop of Dunblane, Mr. Andro Craufurd, chanon in Glasgow and parson of Egelshame, Mr. Alexander Creichtoun, and Mr. George Cooke, Chancellor of Dunkeld, and to Mr. Johne Manderstoun chanon, in Dunbar and prebendar of Beltoun, or any ane of them. This commissioun is datit 27th Aprile, 1567, was presented to two of the saids commissioners, viz. Mr. And<sup>r</sup>. Crawford, and Mr. John Manderstoun, on Saterdag 3 May, by Mr. Thomas Hepburne, parson of Auldhamstocks, procurator for the Erle of Bothwell, who accepted the delegatioun, and gave out their citation by precept, directed Decano Christianitatis de Hadingtoun, nec non vicarij seu curato eccle. parochia de Creichtoun, seu cuicunq; alteri capellano debiti requisitis, fer summoning, at the said Erle's instance, both of the lady personally if she could be had, or otherways at the parosche kerk of Creichtoun the time of service, or at her dwelling place before witnesses, primo, secundo, tertio et peremptorie, unico tamen contextu protuplice edicto. And likeways to be witnesses in the said matter, Alex. Bishop of Galloway, who did marry the said Erle and his lady in Halerud-hous kirk, in Feb. 1565, Sir John Bannatyne, of Auchnole justice-clerk; Mr. Robert Creichtoun of Elliock, the Queen's advocate, Mr. David Chalmers, provost of Creichtoun and chancellor of Ross, Michael —, abbot of Melross; and to compear before the said judges or any one of them in St. Geil's kirk in Ed<sup>n</sup> on Monday the 5 of May, be themselves, or their procurators. Upon the said 5 day, Mr. John Manderstoun, one of the judge's delegat only being present, compeared the same procurators for both the parties that were in the former proces, Mr. Edmund Hay (articulatie ) and some of the witnesses summoned, produced and received for proving the same. The said procurator renounced farther probatioun, and the judge assigned the morne, the 6th of May, ad publicandum producta, nempe depositiones ipsorum testium. The quihilk day, post publicatas depositiones prædictas, Mr. Hen. Kinrosse, procurator for the lady, instantan objectiones juris generaliter, contra producta, insuper renunciavit ulteriori defensionì; proinde conclusa de consensu procuratorum hinc inde causa, judex prædictus statuit crastinum diem pro termina, ad pronunciandum suam sententiam definitivam, ex deductis coram eo, in præsentì ca causa et processu. Conform hereunto, on Wednesday the 7th of May, the said judge gave out his sentence in favour of the Erle, declaring the marriage to be, and to have been null from the beginning, in respect of their contingency in blood, which hindered their lawful marriage without a dispensation obtained of befor.

May 3. treated with the greatest respect. Soon after, Bothwell, with a numerous train of his dependants conducted her to Edinburgh ; but, instead of lodging her in the palace of Holyrood-house, he conveyed her to the castle, of which he was governor. The discontent of the nation rendered this precaution necessary. In a house unfortified, and of easy access, the queen might have been rescued, without difficulty, out of his hands. In a place of strength she was secured from all the attempts of his enemies.

One small difficulty still remained to be surmounted. As the queen was kept in a sort of captivity by Bothwell, a marriage concluded in that condition might be imputed to force, and be held invalid. In order to obviate this, Mary appeared in the court of session, and, in presence of the chancellor and other judges, and several of the nobility, declared that she was now at full liberty ; and though Bothwell's violence in seizing her person had at first excited her indignation, yet his respectful behaviour since that time had not only appeased her resentment, but determined her to raise him to higher honours.<sup>f</sup>

Is married to the queen. What these were, soon became public. The title of duke of Orkney was conferred upon Bothwell ; and on the 15th of May his marriage with the queen, which had so long been the object of his wishes, and the motives of his crimes, was solemnized. The ceremony was performed in public, according to the rites of the Protestant church, by Adam Bothwell, bishop of Orkney, one of the few prelates who had embraced the Reformation, and on the same day was celebrated in private, according to the forms prescribed by the Popish religion.<sup>g</sup> The boldness with which Craig, the minister, who was commanded to publish the banns, testified against the design ; the small number of the nobles who were present at the marriage ; and the sullen and disrespectful silence of the people when the queen appeared in public, were manifest symptoms of the violent and general dissatisfaction of her own subjects. The refusal of Du Croc, the French ambassador, to be pre-

<sup>f</sup> And. i. 87.

<sup>g</sup> Id. 136. ii. 276.

sent at the nuptial ceremony or entertainment, discovers the sentiments of her allies with regard to this part of her conduct; and, although every other action in Mary's life could be justified by the rules of prudence, or reconciled to the principles of virtue, this fatal marriage would remain an incontestable proof of her rashness, if not of her guilt.

Mary's first care was to offer some apology for her conduct to the courts of France and England. The instructions to her ambassadors still remain, and are drawn by a masterly hand. But, under all the artificial and false colouring she employs, it is easy to discover, not only that many of the steps she had taken were unjustifiable, but that she herself was conscious that they could not be justified.<sup>h</sup>

The title of king was the only thing which was not bestowed upon Bothwell. Notwithstanding her attachment to him, Mary remembered the inconveniences which had arisen from the rash advancement of her former husband to that honour. She agreed, however, that he should sign, in token of consent, all the public writs issued in her name.<sup>i</sup> But, though the queen withheld from him the title of king, he possessed, nevertheless, regal power in its full extent. The queen's person was in his hands; she was surrounded more closely than ever by his creatures; none of her subjects could obtain audience without his permission; and, unless in his own presence, none but his confidants were permitted to converse with her.<sup>k</sup> The Scottish monarchs were accustomed to live among their subjects as fathers or as equals, without distrust, and with little state; armed guards standing at the doors of the royal apartment, difficulty of access, distance and retirement were things unknown and unpopular.

Endea- These precautions were necessary for securing to  
vours to Bothwell the power which he had acquired. But,  
become without being master of the person of the young  
master prince's precarious and uncertain. The queen had com-  
person. mitted her son to the care of the earl of Mar. The fidelity

<sup>h</sup> And. 89.<sup>i</sup> Good. ii. 60.<sup>k</sup> And. i. 136.

and loyalty of that nobleman were too well known to expect that he would be willing to put the prince into the hands of the man who was so violently suspected of having murdered his father. Bothwell, however, laboured to get the prince into his power, with an anxiety which gave rise to the blackest suspicions. All his address, as well as authority, were employed to persuade, or to force Mar into a compliance with his demands.<sup>1</sup> And it is no slight proof, both of the firmness and dexterity of that nobleman, that he preserved a life of so much importance to the nation, from being in the power of a man, whom fear or ambition might have prompted to violent attempts against it.

General  
indig-  
nation  
which the  
queen's  
conduct  
excited.

The eyes of the neighbouring nations were fixed, at that time, upon the great events which had happened in Scotland during three months; a king murdered with the utmost cruelty, in the prime of his days, and in his capital city; the person suspected of that odious crime suffered not only to appear publicly in every place, but admitted into the presence of the queen, distinguished by her favour, and intrusted with the chief direction of her affairs; subjected to a trial which was carried on with most shameless partiality, and acquitted by a sentence which served only to confirm the suspicions of his guilt; divorced from his wife, on pretences frivolous or indecent; and, after all this, instead of meeting with the ignominy due to his actions, or the punishment merited by his crimes, permitted openly, and without opposition, to marry a queen, the wife of the prince whom he had assassinated, and the guardian of those laws which he had been guilty of violating. Such a quick succession of incidents, so singular and so detestable, in the space of three months, is not to be found in any other history. They left, in the opinion of foreigners, a mark of infamy on the character of the nation. The Scots were held in abhorrence all over Europe; they durst hardly appear any where in public; and after suffering so many atrocious deeds to pass with impunity, they were universally reproached as

<sup>1</sup> Melv. 160. Buch. 361.



men void of courage, or of humanity, as equally regardless of the reputation of their queen and the honour of their country.<sup>m</sup>

The nobles combine against her and Bothwell. These reproaches roused the nobles, who had been hitherto amused by Bothwell's artifices, or intimidated by his power. The manner in which he exercised the authority which he acquired, his repeated attempts to become master of the prince's person, together with some rash threatenings against him, which he let fall,<sup>n</sup> added to the violence and promptitude of their resolutions. A considerable body of them assembled at Stirling, and entered into an association for the defence of the prince's person. Argyll, Athol, Mar, Morton, Glencairn, Home, Lindsay, Boyd, Murray of Tullibardin, Kirkaldy of Grange, and Maitland the secretary, were the heads of this confederacy.<sup>o</sup> Stewart earl of Athol was remarkable for a uniform and bigoted attachment to popery; but his indignation on account of the murder of the king, to

<sup>m</sup> Anders. vol. i. 128. 134. Melv. 163.

*A Letter from England concerning the murder of King Henry Darnley.*

E. of Mor- Having the commodity of this bearer Mr. Clark, I tho't good to write a few words unto you. I have rec<sup>d</sup> some writs from you, and some I have seen lately sent to others from you, as namely to the Earl of Bedford of the 16th of May, I have participat the contents thereof to such as I thought meet. This mekle I can assure you, the intelligence give hithere by the French was untrue, for there was not one Papist nor Protestant which did not consent that justice should be done, be the Queen my sov<sup>as</sup> aid and support, against such as had committed that abominable ill murder in your country; but to say truth, the lack and coldness did not rise from such as were called to council, but from such as should give life and execution thereunto. And further, I assure you, I never knew no matter of estate proponed which had so many favourers of all sorts of nations as this had; yea, I can say unto you, no man promoted the matter with greater affection than the Spanish ambassador. And sure I am that no man dare openly be of any other mind, but to affirm that whosoever is guilty of this murder, handfasted with advoutre, is unworthy to live. I shall not need to tell you, which be our letts, and staves from all good things here; you are acquainted with them as well as I. Neds I must confess, that howsoever we omit occasions of benefit, honour, and surety, it behoveth your whole nobility, and namely such as before and after the murder were deemed to allow of Bodwell, to prosecute with sword and justice the punishment of those abominable acts, though we lend you but a cold aid: and albeit you and divers others, both honourable and honest, be well known to me, and sundry others here, to be justifiable in all their actions and doings; yet think not the contrary but your whole nation is blemished and infamit by these doings which lately passed among you. What we shall do I know not, neither do I write unto you assuredly, for we be subject unto many mutations, and yet I think we shall either aid you, or continue in the defence and safeguard of your Prince, so as it appear to us that you mean his safeguard indeed, and not to run the fortune of France, which will be your own destruction if you be unadvised. I know not one, no not one of any quality or estate in this country, which does allow of the Queen your sovereign, but would gladly the world were rid of her, so as the same were done without farther slander, that is to say by ordinary justice. This I send the 23d of May.

<sup>n</sup> Melv. 161.

<sup>o</sup> Keith, 394.

whom he was nearly allied, and his zeal for the safety of the prince, overcame, on this occasion, all considerations of religion, and united him with the most zealous Protestants. Several of the other nobles acted, without question, from a laudable concern for the safety of the prince and the honour of their country. But the spirit which some of them discovered during the subsequent revolutions, leaves little room to doubt, that ambition or resentment were the real motives of their conduct; and that, on many occasions, while they were pursuing ends just and necessary, they were actuated by principles and passions altogether unjustifiable.

The first accounts of this league filled the queen and Bothwell with great consternation. They were no strangers to the sentiments of the nation with respect to their conduct; and though their marriage had not met with public opposition, they knew that it had not been carried on without the secret disgust and murmurings of all ranks of men. They foresaw the violence with which this indignation would burst out, after having been so long suppressed;

May 28. and, in order to prepare for the storm, Mary issued a proclamation, requiring her subjects to take arms, and to attend her husband by a day appointed. At the same time she published a sort of manifesto, in which she laboured to vindicate her government from those imputations with which it had been loaded, and employed the strongest terms to express her concern for the safety and welfare of the prince her son. Neither of these produced any considerable effect. Her proclamation was ill obeyed, and her manifesto met with little credit.<sup>p</sup>

The queen and Bothwell retire to Dunbar. The confederate lords carried on their preparations with no less activity, and with much more success. Among a warlike people, men of so much power and popularity found it an easy matter to raise any army. They were ready to march before the queen and Bothwell were in a condition to resist them. The castle of Edinburgh was the place whither the queen ought naturally to

have retired, and there her person might have been perfectly safe. But the confederates had fallen on means to shake or corrupt the fidelity of Sir James Balfour, the deputy-governor, and Bothwell durst not commit to him such

an important trust. He conducted the queen to the  
 June 6. castle of Borthwick, and on the appearance of lord Home, with a body of his followers, before that place, he fled with precipitation to Dunbar, and was followed by the queen disguised in men's clothes. The confederates advanced towards Edinburgh, where Huntly endeavoured, in vain, to animate the inhabitants to defend the town against them. They entered without opposition, and were instantly joined by many of the citizens, whose zeal became the firmest support of their cause.<sup>¶</sup>

In order to set their own conduct in the most favourable light, and to rouse the public indignation against Bothwell, the nobles published a declaration of the motives which had induced them to take arms. All Bothwell's past crimes were enumerated, all his wicked intentions displayed and aggravated, and every true Scotchman was called upon to join them in avenging the one and preventing the other.<sup>†</sup>

Meanwhile Bothwell assembled his forces at Dunbar; and as he had many dependants in that corner, he soon gathered such strength, that he ventured to advance towards the confederates. Their troops were not numerous; the suddenness and secrecy of their enterprise gave their friends at a distance no time to join them; and, as it does not appear that they were supported either with money or fed with hopes by the queen of England, they could not have kept long in a body. But, on the other hand, Bothwell durst not risk a delay.<sup>§</sup> His army followed him with reluctance in this quarrel, and served him with no cordial affection; so that his only hope of success was in surprising the enemy, or in striking the blow before his own troops had leisure to recollect themselves, or to imbibe the same unfavourable opinion of his actions, which had spread over

¶ Keith, 398.

† Anders. vol. i. 128.

§ Keith, 401.

the rest of the nation. These motives determined the queen to march forward, with an inconsiderate and fatal speed.

The nobles march against them, July 15. On the first intelligence of her approach, the confederates advanced to meet her. They found her forces drawn up almost on the same ground which the English had occupied before the battle of Pinkie.

The numbers on both sides were nearly equal; but there was no equality in point of discipline. The queen's army consisted chiefly of a multitude, hastily assembled, without courage or experience in war. The troops of the confederates were composed of gentleman of rank and reputation, followed by their most trusty dependants, who were no less brave than zealous.<sup>t</sup>

An accommodation attempted. Le Croc, the French ambassador, who was in the field, laboured, by negotiating both with the queen and the nobles, to put an end to the quarrel without the effusion of blood. He represented to the confederates the queen's inclination towards peace, and her willingness to pardon the offences which they had committed. Morton replied with warmth, that they had taken arms, not against the queen, but against the murderer of her husband; and if he were given up to justice, or banished from her presence, she should find them ready to yield the obedience which is due from subjects to their sovereign. Glencairn added, that they did not come to ask pardon for any offence, but to punish those who had offended. Such haughty answers convinced the ambassador that his mediation would be ineffectual, and that their passions were too high to allow them to listen to any pacific propositions, or to think of retreating after having proceeded so far.<sup>u</sup>

The queen's army was posted to advantage, on a rising ground. The confederates advanced to the attack resolutely but slowly, and with the caution which was natural on that unhappy field. Her troops were alarmed at their approach, and discovered no inclination to fight. Mary endeavoured to animate them; she wept, she threatened, she reproached

<sup>t</sup> Cald. vol. ii. 48, 49.

<sup>u</sup> Keith, 401.

them with cowardice, but all in vain. A few of Bothwell's immediate attendants were eager for the encounter; the rest stood wavering and irresolute, and some began to steal out of the field. Bothwell attempted to inspirit them, by offering to decide the quarrel, and to vindicate his own innocence, in single combat with any of his adversaries. Kirkaldy of Grange, Murray of Tullibardin, and lord Lindsay, contended for the honour of entering the lists against him. But this challenge proved to be a mere bravado. Either the consciousness of guilt deprived Bothwell of his wonted courage, or the queen, by her authority, forbade the combat.\*

After the symptoms of fear discovered by her followers, Mary would have been inexcusable had she hazarded a battle. To have retreated in the face of an enemy who had already surrounded the hill on which she stood with part of their cavalry, was utterly impracticable. In this situation, she was under the cruel necessity of putting herself into the hands of those subjects who had taken arms against her. She demanded an interview with Kirkaldy, a brave and generous man, who commanded an advanced body of the enemy. He, with the consent and in the name of the leaders of the party, promised that, on condition she would dismiss Bothwell from her presence, and govern the kingdom by the advice of her nobles, they would honour and obey her as their sovereign.†

Bothwell obliged to fly. During this parley, Bothwell took his last farewell of the queen, and rode off the field with a few followers. This dismal reverse happened exactly one month after that marriage which had cost him so many crimes to accomplish, and which leaves so foul a stain on Mary's memory.

Mary surrenders to the nobles. As soon as Bothwell retired, Mary surrendered to Kirkaldy, who conducted her towards the confederate army, the leaders of which received her with much respect; and Morton, in their name, made ample professions of their future loyalty and obedience.‡ But she

\* Cald. vol. ii. 50. † Good. vol. ii. 164. Melv. 165. ‡ Good. vol. ii. 165.

was treated by the common soldiers with the utmost insolence and indignity. As she marched along, they poured upon her all the opprobrious names which are bestowed only on the lowest and most infamous criminals. Wherever she turned her eyes, they held up before her a standard, on which was painted the dead body of the late king, stretched on the ground, and the young prince kneeling before it, and uttering these words, "Judge and revenge my cause, O Lord!" Mary turned with horror from such a shocking sight. She began already to feel the wretched condition to which a captive prince is reduced. She uttered the most bitter complaints, she melted into tears, and could hardly be kept from sinking to the ground. The confederates conducted her towards Edinburgh; and, in spite of many delays, and after looking, with the fondness and credulity natural to the unfortunate, for some extraordinary relief, she arrived there. The streets were covered with multitudes, whom zeal or curiosity had drawn together, to behold such an unusual scene. The queen, worn out with fatigue, covered with dust, and bedewed with tears, was exposed as a spectacle to her own subjects, and led to the provost's house. Notwithstanding all her arguments and entreaties, the same standard was carried before her, and the same insults and reproaches repeated.\* A woman, young, beautiful, and in distress, is naturally the object of compassion. The comparison of their present misery with their former splendour, usually softens us in favour of illustrious sufferers. But the people beheld the deplorable situation of their sovereign with insensibility; and so strong was their persuasion of her guilt, and so great the violence of their indignation, that the sufferings of their queen did not, in any degree, mitigate their resentment, or procure her that sympathy which is seldom denied to unfortunate princes.

\* Melv. 166. Buch. 364.

## BOOK V.

1567. THE confederate lords had proceeded to such extremities against their sovereign, that it now became almost impossible for them either to stop short, or to pursue a course less violent. Many of the nobles had refused to concur with them in their enterprise; others openly condemned it. A small circumstance might abate the indignation with which the multitude were at present animated against the queen, and deprive them of that popular applause which was the chief foundation of their power. These considerations inclined some of them to treat the queen with great lenity.

But, on the other hand, Mary's affection for Bothwell continued as violent as ever; she obstinately refused to hearken to any proposal for dissolving their marriage, and determined not to abandon a man, for whose love she had already sacrificed so much.<sup>a</sup> If they should allow her to

<sup>a</sup> Keith, 419, 446. 449. Melv. 167.

*Part of a Letter from Sir Nicolas Throckmorton to Cecil, 11th of July, 1567, from Berwick.*

—Sir, your letter of the 6th of July, I received the 10th, at Berwick. I am sorry to see that the Queen's Majesty's disposition altereth not towards the lords, for when all is done, it is they which must stand her more in stead than the Queen her cousin, and will be better instruments to work some benefite and quietness to her Majesty and her realm, that the Queen of Scotland, which is void of good fame.

*A Letter from Sir Nicolas Throckmorton to Cecil, from Fastcastle, 12th of July, 1567.*

Sir, as you might perceive by my letter of the 11th July, I lodged at Fastcastle that night accompanied with the Lord Hume, the Lord of Ledington, and James Melvin, where I was entreated very well according to the state of the place, which is fitter to lodge prisoners than folks at liberty; as it is very little, so it is very strong. By the conference I have had with the Lord of Ledington, I find the lords his associates, and he hath left nothing unthought of, which may be either to thir danger or work them surety, wherein they do not forget what good and harme France may do them, and likewise they consider the same of England; but as farr as I can perceive, to be plain with yow, they find more perill to grow unto them through the Queen's Majesty's dealing, than either they do by the French, or by any contrary faction amongst themselves, for they assure themselves the Queen will leave them in the bryers if they run her fortune: and though they do acknowledge great benefit as well to them as to the realm of England, by her Majesty's doings at Leith whereof they say mutually her Majesty and both the realms have received great fruit; yet upon other accidents which have chanced since, they have observed such things in her Majestys doings as have ended to the danger of such as she hath dealt withal, to the overthrow of your own designments, and little to the surety of any party: and upon these considerations and discourses at length, methinketh I find a disposition in them, that either they mind to make their bargain with France, or else do deal neither with France nor yow, but to do what they shall think

recover the supreme power, the first exertion of it would be to recal Bothwell; and they had reason, both from.

meet for their state and surety, and to use their remedies as occasion shall move them; meaning neither to irritate France nor England, until such time as they have made their bargain assuredly with one of yow; for they think it convenient to proceed with yow both for a while *pari passu*, for that was my Lord of Ledington's terms. I do perceive they take the matter very unkindly, that no better answer is made to the letter which the Lords did send to her Majesty, and likewise that they hear nothing from yow to their satisfaction. I have answered as well as I can, and have alledged their own proceedings so obscurely with the Queen and their uncertainty hath occasioned this that is yet happened, and therefore her Majesty hath sent me to the end I may inform her thoroughly of the state of the matters, and upon the declaration of their minds and intents to such purposes as shall be by me proposed on her Majestys behalf unto them, they shall be reasonably and resolutely answered. At these things the Lord of Ledington smiled and shook his head, and said it were better for us yow would let us alone, than neither to do us nor yourselves good, as I fear me in the end that will prove: *S<sup>r</sup>*, if their be any truth in Ledington; *Le Crocq* is gone to procure *Ramboilet* his coming hither, or a man of like quality, and to deliver them of their Queen for ever, who shall lead her life in France in an abbey reclused, the Prince at the French devotion, the realm governed by a council of their election of the Scottish nation, the forts committed to the custody of such as shall be chosen amongst themselves. As yet I find no great likelihood that I shall have access to the Queen: it is objected they may not so displease the French King, unless they were sure to find the Queen of England a good friend; and when they once by my access to the Queen have offended the French, then they say yow will make your profit thereof to their undoing; and as to the Queen's liberty, which was the first head that I proposed, they said that thereby they did perceive that the Queen wants their undoing, for as for the rest of the matters it was but folly to talk of them, the liberty going before; but said they, if yow will do us no good, do us no harm, and we will provide for ourselves. In the end they said, we shall refuse our own commodity, before they concluded with any other, which I should hear of at my coming to *Edin<sup>r</sup>*; by my next I hope to send yow the band concluded by *Hamiltons*, *Argyll*, *Huntly*, and that faction, not so much to the prejudice of the Lords of *Edin<sup>r</sup>*, as that which was sent into France. Thus having no more leisure, but compelled to leap on horseback with the lords to go to *Edin<sup>r</sup>*, I humbly take my leave of from *Fastcastle* the 12th of July, 1567.

*To Sir Nicolas Throckmorton, being in Scotland. By the Queen, the 14th of July, 1567.*

Paper Trusty and well beloved we greet you well; though we think that the causes will often change upon variety of accidents, yet we think for sundry Office. respects, not amiss, that as yow shall deal with the Lords having charge of the young Prince for the committing of him into our realm, so shall yow also do well, in treaty with the Queen, to offer her that where her realm appeareth to be subject to sundry troubles from time to time, and thereby (as it is manifest) her son cannot be free, if she shall be contented that her son may enjoy surety and quietness within this our realm, being so near as she knows it is; we shall not fail to yield her as good surety therein for her child, as can be devised for any that might be our child born of our own body, and shall be glad to shew to her therein the trew effect of nature; and herein she may be by yow remembered how much good may ensue to her son to be nourished and acquainted with our country: and therefore, all things considered, this occasion for her child were rather to be sought by her and the friends of him, than offered by us: and to this end, we mean that yow shall so deal with her, both to stay her indeed from inclining to the French practise, which is to us notorious, to convey her and the Prince into France, and also to avoid any just offence that she might hereafter conceive, if she should hear that we should deal with the Lords for the Prince.

*Sir Nicolas Throckmorton to Queen Elizabeth, 14th July, 1567, from Edinburgh.*

An Original. It may please your Majesty to be advertised, I did signifie unto Mr. Secretary by my letters of the 11th and 12th of July, the day of mine entry into Scotland, the causes of my stay, my lodging at *Fastcastle*, a place of per Office. the Lord *Hume's*, where I was met by the said Lord and by the Lord *Lidington*, and what had passed in conference betwixt us, whilst I was at the said *Fastcastle*. Since which time, accompanied with the Lords aforesaid, and with



his resentment, from her conduct, and from their own, to expect the severest effects of her vengeance. These con-

400 horses by their appointment for my better conduct, I came to Edin<sup>r</sup>. the 12th of this present. The 13th being Sunday appointed for a solemn communion in this town, and also a solemn fast being published, I could not have conference with the Lords which he assembled within this town, as I desired, that is to say, the Earls of Athole and Morton, the Lord Hume, the Lord of Lidington, Sir James Balfour, captain of the castle, Mr. James M'Gill, and the President of the Session.

Nevertheless I made means by the Lord of Lidington that they would use no protracte of time in mine audience, so did I likewise to the Earle of Morton, whom I met by chance; I was answered by them both, that albeit the day were destined to sacred exercises, such as were there of the council would consult upon any moeyen touching my access unto them and my conference with them, and said also, that in the afternoon either they would come to me, or I should hear from them. About 4 of the clock in the afternoon, the said 13th day, the Lord of Lidington came to my lodgings, and declared unto me, on the behalf of the lords and others, that they required me to have patience, though they had defferred my conference with them, which was grounded principally upon the absence of the Earles of Mar and Glencairn, the Lords Semple, Crichton, and others of the council, saying also that they did consider the matters which I was on your behalf to treat with them of, were of great importance, as they could not satisfy nor conveniently treat with me, nor give me answer without the advice of the lords, and others their associates: the Lord of Lidington also said unto me, that where he perceived, by his private conference with me in my journey hitherwards, that I pressed greatly to have speedy access to the Queen their sovereign, he perceived by the lords and others which were here, that in that matter there was great difficulty for many respects, but specially because they had refused to the French ambassador the like access, which being granted unto me, might greatly offend the French, a matter which they desired and intended to eschew; for they did not find by your Majesty's dealings with them hitherto, that it behoved them to irritate the French King, and to lose his favour and good intelligence with him. I answered, that as to their refusal made unto the French ambassador, Monsieur de Ville Roye was dispatched forth of France before these accidents here happened, and his special errand was to impeach the Queen's marriage with the Earle of Bothel (for so indeed since my coming hither I learned his commission tended to that end, and to make offer to the Queen of another marriage); and as to Monsieur de Crocq, he could have no order forth of France concerning these matters, since they happened; and therefore they might very well hold them suspected to have conference with the Queen, least they might treat of matters in this time without instructions, and so rather do harm then good; but your Majesty being advertized of all things which had chanced, had sent me hither to treat with them, for the well of the realm; for the conversation of their honors and credit, and for their suerty; and I might boldly say unto him, that your Majesty had better deserved than the French had. He said, for his own part, he was much bound unto your Majesty, and had always found great favour and courtesy in England; but to be plain with you, Sir, said he, there is not many of this assembly that have found so great obligation at the Queen your sovereigns hands, as at the French Kings, for the Earles of Morton and Glencairn be the only persons which took benefit by the Queens Majestys aid at Leith, the rest of the noblemen were not in the action; and we think, said he, the Queens Majesty your sovereign, by the opinion of her own council, and all the world, took as great benefit by that charge as the realm of Scotland, or any particular person; and not to talk with yow as an ambassador, but with Sir Nicholas Throkmorton, my Lord Morton, and such as were in pain for the death of Davie, found but cold favour at the Queens Majestys hands, when they were banish'd forth of their own country; but I would all our whole company were as well willing to accomplish the Queen your sovereigns intents and desires as I am; for mine own part, I am but one, and that of the meanest sort, and they be many noblemen, and such as have great interest in the matter; mary, yow shall be assured I will imploy myself to imploy my credit, and all that I may do, to satisfie the Queen your mistress, as much as lyeth in me, and for your own part you have a great many friends in this assembly; with many other good words. But for conclusion I must take this for an answer, to stay untill the other lords were come, and thereupon I thought meet to advertize your Majesty what hath passed, and how far forth I have proceeded; your expectation being great to hear from hence.

And now to advertize your Majesty of the state of all things, as I have learned since my coming hither, it may please your Majesty to understand as followeth.

siderations surmounted every other motive; and, reckoning themselves absolved, from Mary's incurable attachment to

The Queen of Scotland remaineth in good health in the castle of Lochleven, guarded by the Lord Lindsay and Lochleven, the owner of the house; for the Lord Ruthven is employed in another commission, because he began to show great favour to the Queen, and to give her intelligence. She is waited on with 5 or 6 ladys, 4 or 5 gentlewomen, and 2 chamberers, whereof one is a French woman. The Earle of Buchan, the Earle of Murray's brother, hath also liberty to come to her at his pleasure; the lords aforesaid, which have her in guard, doe keep her very straitly, and, as far as I can perceive, their rigour proceedeth by their order from these men, because that the Queen will not by any means be induced to lend her authority to prosecute the murder, nor will not consent by any perswasion to abandon the Lord Bothell for her husband, but avoweth constantly that she will live and die with him; and saith, that if it were put to her choice to relinquish her crown and kingdom, or the Lord Bothell, she would leave her kingdom and dignity, to go as a simple damsell with him, and that she will never consent that he shall share worse or have more harm than herself.

And, as far as I can perceive, the principall cause of her detention is, for that these lords do see the Queen being of so fervent affection towards the Earle Bothell as she is, and being put at, as they should be compelled to be in continuall arms, and to have occasion of many battles, he being with manifest evidence notoriously detected to be the principall murderer, and the lords meaning prosecution of justice against him according to his merits.

The lords mean also a divorce betwixt the Queen and him, as a marriage not to be suffered for many respects, which separation cannot take place if the Queen be at liberty, and have power in her hands.

They do not also forget their own perill, conjoin'd with the danger of the Prince, but as far as I can perceive, they intend not either to touch the Queen in surety or in honor, for they do speak of her with respect and reverence, and do affirm, as I do learn, that the conditions aforesaid accomplished, they will both put her to liberty, and restore her to her estate.

These lords have for the guard of their town 450 harqubushers which be in very good order, for the entertainment of which companys, until all matters be compounded, they did sue unto your Majesty, to aid them with such sum of money as hath been mentioned to Mr. Secretary by the Lord of Lidingtons writing, amounting as I perceive to ten or twelve thousand crowns of the

They were lately advertized that the French King doth mind to send hither Monsieur de la Chapell des Ursine, a knight of the French order, and always well affectionate to the house of Guise; and howsoever La Forest, Villaroy, and Du Crocq have used language in the Queens favour and to these lords disadvantage there, to your Majesty; La Crocq doth carry with him such matter as shall be little to the Queen's advantage; so as it is thought the French King, upon his coming to his presence, will rather satisfie the lords than pleasure the Queen; for they have their party so well made, as the French will rather make their profit by them, than any other way.

Herewith I send your Majesty the last bond agreed on, and signed by the Hamiltons, the Earl of Argyll, Huntly, and sundry others, at Dumbarton.

Nevertheless, since my coming to this town, the Hamiltons have sent unto me a gentleman of their surname, named Robert Hamilton, with a letter from the Bishop of St. Andrew's and the Abbot of Arbroth, the copy whereof I send your Majesty, and mine answer unto them, referring to the bearer the declarations of some things as these did by him unto me.

The Earle of Argyll hath, in like manner, sent another unto me with a letter and credit; I have used him as I did the others, the copy of both which letters I send your Majesty also. The Lord Harrys hath also sent unto me but not written, and I have returned unto him in like sort.

Against the 20th day of this month there is a generall assembly of all the churches, shires, and boroughs towns of this realm, namely, of such as be contented to repair to these lords to this town, where it is thought the whole state of this matter will be handled, and I fear me much to the Queen's disadvantage and danger; unless the Lord of Lidington and some others which be best affected unto her do provide some remedy; for I perceive the great number, and in manner all, but chiefly the common people, which have assisted in these doings, do greatly dishonour the Queen, and mind seriously either her deprivation, or her destruction; I used the best means I can (considering the furie of the world here) to prorogue this assembly, for that appeareth to me to be the best remedy; I may not speak of dissolution of it, for that may not be abiden,

Bothwell, from the engagements which they had come under when she yielded herself a prisoner, they, without

and I should thereby bring my self into great hatred and peril. The chiefest of the lords which be here present at this time dare not show so much lenity to the Queen as I think they could be contented, for fear of the rage of the people. The women be most furious and impudent against the Queen, and yet the men be mad enough; so as a stranger over busie may soon be made a sacrifice amongst them.

There was a great bruit that the Hamiltons with their adherents would put their force into the fields against the 24th of this month, but I do not find that intent so true as the common bruit goeth.

The Earle of Argyll is in the Highlands, where there is trouble among his own countrymen.

The Earle of Lennox is by these lords much desired here, and I do believe your Majesty may so use him, and direct him, as he shall be able to promote your purpose with these men.

The Earle of Argyll, the Hamiltons and he be incompatible.—I do find amongst the Hamiltons, Argyll, and the company, two strange and sundry humours.

Hamiltons do make shew of the liberty of the Queen, and prosecute that with great earnestness, because they would have these lords destroy her, rather than she should be recovered from them by violence; another time they seem to desire her liberty and Bothwell's destruction, because they would compass a marriage betwixt the Queen and the Lord of Arbroth.

The Earle of Argyll doth affect her liberty, and Bothwell's destruction, because he would marry the Queen to his brother.

And yet neither of them, notwithstanding their open concurrence (as appeareth by their bond), doth discover their minds to each other, nor mind one end. Knox is not here, but in the west parts: he and the rest of the ministers will be here at the great assembly, whos austerity against the Queen I fear as much as any man's.

By some conference which I had with some of this councill, me thinketh that they have intelligence that there is a disposition in the Queen of Scotland to leave this realm, and to retire herself either into England or into France, but most willingly into England; for such — and mislikings as she knoweth hath been, and is meant unto her in France, leaving the regiment either to a number of persons deleaged and authorized by her, or to some one or more.

And it may please your Majesty, I think it not amiss to put yow in remembrance, that in case the said Queen come into England by your allowance, without the French King's consent, she shall loose her dowry in France, and have little or nothing from hence to entertain her; and in case she do go into France with the King's contentment, she may be an instrument (if she can recover favour, as time will help to cancell her disgrace) either by matching with some husband of good quality, or by some other devise, to work new unquiteness to her own country, and so consequently to your Majesty's.

Therefore it may please your Majesty to consider of this matter, and to let me know your pleasure with convenient speed, how I shall answer the same, if it be propounded unto me, either by the Queen or by the councill, as a piece of the end and composition. For I am sure, of late, she hath seemed very desirous to have the matter brought to pass that she might go into England, retaining her estate and jurisdiction in herself, though she do not exercise it; and likewise I understand that some of this councill which be least affected to her safety do think there is no other way to save her. Thus Almighty God preserve your Majesty in health, honour, and all felicity; at Edin<sup>r</sup> the 14th July, 1567.

*Sir Nicholas Throckmorton to Queen Elizabeth, the 18th of July, 1567, from Edinburgh.*

It may please your Majesty, you might perceave by my letters of the 16th, how far I had proceded with these lords, and what was their answer; since An Original. Pa- which time I have spoken particularly with the Earle Morton, the Lord of per Office. Lidington, and Sir James Balfour, captain of this castle; at whose hands I cannot perceave that as yet access to the Queen to Lochleven will be granted me, staying themselves still by the absence of the lords and others their associates, which (they say) they look for within two days; and for that I find, by likelihood and apparent presumptions, that mine access to the Queen will hardly be granted, I have thought good not to defer this dispatch untill I have a resolute answer in that matter.

May it therefore please your Majesty to understand, Robert Melvin returned from

regarding the duty which they owed her as their queen, and without consulting the rest of the nobles, carried her

the Queen to Lochleven; to this town, the 6th of July, and brought a letter from her written of her own hand to these lords, which doth contain, as I understand, matter as followeth—A request unto them to have consideration of her health, and if they will not put her to liberty, to change the place of restraint to the castle of Stirling, to the end she might have the comfort and company of her son; and if they will not change her from Lochleven, she required to have some other gentlewoman about her, naming none.

To have her apothecary, to have some modest minister; to have an imbroiderer to draw forth such work as she would be occupied about, and to have a varlet of the chamber.—Touching the government of the realm she maketh two offers, which are but generally touched in her letter, the particularitys be not specified, but referred to Robert Melvin's credit; the one is to commit it only and wholly to the Earle of Murray, the other is to the lords whose name ensue, assisted with such others as they shall call unto them, that is to say, the Duke of Chattehrault, the Earls of Morton, Murray, Marr, and Glencairn.

She hath written unto them that I might have access unto her.—She requireth further, that if they will not treat her and regard her as their Queen, yet to use her as the King their sovereign's daughter (whom many of them knew) and as their Prince's mother.—She will by no means yield to abandon Bothell for her husband, nor relinquish him; which matter will do her most harm of all, and hardeneth these lords to great severity against her.

She yieldeth in words to the prosecution of the murder.

I have the means to let her know that your Majesty hath sent me hither for her relief.

I have also persuaded her to conform herself to renounce Bothell for her husband, and to be contented to suffer a divorce to pass betwixt them; she hath sent me word that she will in no ways consent unto that, but rather die; grounding herself upon this reason, taking herself to be seven weeks gone with child, by renouncing Bothell, she should acknowledge herself to be with child of a bastard, and to have forfeited her honour, which she will not do to die for it: I have perswaded her to save her own life and her child, to choose the least hard condition.

Mr. Knox arrived here in this town the 6th of this month, with whom I have had some conference, and with Mr. Craig also, the other minister of this town.

I have perswaded with them to preach and perswad lenity. I find them both very austere in this conference; what they shall do hereafter I know not; they are furnished with many arguments, some forth of the Scripture, some forth of histories, some grounded (as they say) upon the laws of this realm, some practices used in this realm, and some upon the conditions and oth made by their Prince at her coronation.

The Bishop of Galloway, uncle to the Earle of Huntly, hath sent hither to these lords, that his nephew the Earle and some others of that side may, at Linlithgow, or at Stirling, have some communication with some appointed on this side, assuring them that there is a good disposition in the lords of the other party to concur with these, assuring further that they will not dissent for trifles or unnecessary things, and (as I am giving to understand) they can be pleased the Queen's restraint be continu'd untill the murder be pursued in all persons, whereby the separation of the Queen and Bothell is implied, the preservation of the Prince, the security for all men, and a good order taken for the governance of the realm in tranquility.

Captain Clerk, which hath so long served in Denmark and served at Newhaven, did the 16th of this month (accompanied with one of his soldiers, or rather the soldier as the greater fame goeth) kill one Wilson a seaman, and such a one as had great estimation with these lords, both for his skill, his hardyness, honesty, and willingness in his action; whereupon Clerk hath retired himself; their quarrel was about the ship which took Blacketer, which ship was appointed by these lords to go to the north of Scotland to impeach the passage of the Earle Bothell, in case he went either to the isles, or to any other place; by the death of this man this enterprize was dashed.

The Bishop of Galloway is come to Linlithgow, and doth desire to speak with the Lord of Lidington.

The Abbot of Kilwinning hath sent for Sir James Balfour, captain of the castle, to have conference with him.

As I wrote unto your Majesty in my last, the Hamiltons now find no matter to dis-ever these lords and them asunder, but would concurr in all things (yea in any extremity against the Queen) so as they might be assured the Prince of Scotland were

next evening, under a strong guard, to the castle of Lochlevin, and signed a warrant to William Douglas, the owner

crowned King, and should die without issue, that the Earle of Lennox's son living should not inherit the crown of this realm, as next heir to his nephew.

And although the lords and counselors speak reverently, mildly, and charitably of their Queen, so as I cannot gather by their speech any intention to cruelty or violence, yet I do find by intelligence, that the Queen is in very great peril of her life, by reason that the people assembled at this convention do mind vehemently the destruction of her.

It is a public speech among all the people, and amongst all estates (saving of the counselors) that their Queen hath no more liberty nor privilege to commit murder nor adultery, than any other private person, neither by God's laws, nor by the laws of the realm.

The Earl of Bothell, and all his adherents and associates, be put to the horn by the ordinary justice of this town, named the lords of the session; and commandment given to all shiriffs, and all other officers, to apprehend him, and all other his followers and receptors. The Earl of Bothell's porter, and one of his own servitors of his chamber, being apprehended, have confessed such sundry circumstances, as it appeareth evidently, that he the said Earl was one of the principal executors of the murder, in his own person, accompanied with sundry others, of which number I cannot yet certainly learn the names but of three of them, that is to say, two of the Ormstoms of Tivotdall, and one Hayborn of Bolton. The lords would be glad that none of the murderers should have any favour or receipt in England, and hereof their desire is, that the officers upon the border may be warned. Bothell doth still remain in the north parts, but the Lord Seaton and Fleming, which have been there, have utterly abandoned him, and do repair hitherwards.—The intelligence doth grow daily betwixt these lords, and those which held of; and notwithstanding these lords have sent an hundred and fifty harqubushers to Stirling, to keep the town and passage from surprise; and so have they done in like manner to St. Johnston, which be the two passages from the north and west to this town, I do understand the captain of Dunbar is much busied in fortifying that place; I do mervile the carriages be not impeached otherwise than they be.

Of late this Queen hath written a letter to the captain of the said castle, which hath been surprised; and thereby matter is discovered which maketh little to the Queen's advantage.

Thus, having none other matter worthy your Majesty's knowledge, I beseech God to prosper your Majesty with long life, perfect health, and prosperous felicity. At Edinburgh, the 18th of July, 1567.

*Letter of Sir Nicholas Throckmorton to the Right Honourable the Earl of Leicester, Knight of the Order, and one of the Lords of Her Majesty's Most Honourable Privy Council.*

24th of July, 1567. Paper Office. From the original.

By my former dispatches sent to her Majesty, and Mr. Secretary, since the 12th of July, your Lordship might have perceived the state of this country; and to what end these matters be like to come; so as not to trouble your Lordship with many words, this Queen is like very shortly to be deprived of her royal estate, her son to be crowned King, and she detained in prison within this realm, and the same to be governed in the young King's name, by a council, consisting of certain of the nobility, and other wise men of this realm; so as it is easy to be seen that the power and ability to do any thing to the commodity of the Queen's Majesty, and the realm of England, will chiefly, and in manner wholly, rest in the hands of these lords, and others their associates assembled at Edinburgh. Now, if the Queen's Majesty will still persist in her former opinion towards the Queen of Scotland (unto whom she shall be able to do no good), then I do plainly see that these lords and all their accomplices will become as good French as the French King can wish, to all intents and purposes. And as for the Hamiltons, the Earls of Arguile, Huntley, and that faction, they be already so far enchanted that way, as there needeth little devise to draw them to the French devotion. Then this is the state of things so come to pass of this country, that France has Scotland now as much conjoined unto them, to all purposes, as ever it was; and what an instrument the young Prince will prove, to unquiet England, I report me to your Lordships wisdom; and therefore considering the weight of the matter, and all the circumstances, I trust your Lordship will well bethink you in time (for 'tis high time) how to advise her Majesty, to leave nothing undone that may bring the Prince of

They imprison her in Loch-levin. of it, to detain her as a prisoner. This castle is situated in a small island in the middle of a lake. Douglas, to whom it belonged, was a near relation

Scotland to be in her possession, or, at the least, to be at her devotion. And amongst other things that I can imagine, for the first degree nothing is more meet to bring this to effect, than to allure this company here assembled to bear her Majesty their favour. Some talk hath passed between the Lord of Liddington and me, in certain conferences about this matter. By him I find, that when her Majesty shall have won these men to her devotion, the principal point that will make them conformable to deliver their Prince into England, will rest upon the Queen, and the realm's enabling him to the succession of the crown of England, for fault of issue of the Queen's Majesty's body; some other things will also be required, as the charge of the said Prince and his train to be at the charge of England. I do well perceive that these men will never be brought to deliver their Prince into England without the former condition, for the succession of England; for (saith Liddington) that taking place, the Prince shall be as dear to the people of England as to the people of Scotland: and the one will be as careful of his preservation as the other. Otherwise, he saith, all things considered, it will be reported that the Scottishmen have put their Prince to be kept in safety, as those which commit the sheep to be kept by the wolves. So as for conclusion, your Lordship may perceive here will be the scope of this matter. As unto the delivering of him upon hostages, he sayeth, let no man think, that the condition of the succession not being accomplished, the nobility and the gentry will never consent to leave themselves destitute of their sovereign upon any hostages, neither upon any promises, nor likelihood of good to issue in time to come. It were not good for yourselves (saith he) that the matter were so handled; for then you should adventure all your goods in one ship, which might have a dangerous effect, considering the unwillingness of the Queen your sovereign to consent to establishing any successor to the crown. And then, how unmete were it, that her Majesty having in her possession already all such persons as do pretend to it, or be inheritable to the crown, to have our Prince also in her custody. For so there might follow, without good capitulations, a strange and dangerous issue, tho' the Queen your mistress do think that such imaginations could not proceed but from busy heads, as you have uttered unto us on her behalf. What is come to pass since my last dispatch, and how far forth things are proceeded, I refer your Lordship to be informed by my letters sent unto her Majesty at this time. And so I pray Almighty God preserve your Lordship in much honour and felicity. At Edinburgh, this 24th of July, 1567.

It may please your good Lordship to make my Lord Stuard partner of this letter.

*The Queen to Sir Nicolas Throckmorton. By the Queen.*

6th Aug. 1567. Trusty and right well-beloved, we greet you well, for as much as we do consider that you have now a long time remained in those parts without expedition in the charge committed unto you, we think it not meet, seeing there hath not followed the good acceptation and fruit of our well meaning towards that state, which good reason would have required that you should continue there any longer; our pleasure, therefore, is, that you shall, immediately upon the receipt hereof, send your servant Middlemore unto the lords and estates of that realm, that are assembled together, willing him to declare unto them, that it cannot but seem very strange unto us, that you having been sent from us, of such good intent, to deal with them in matters tending so much to their own quiet, and to the benefit of the whole estate of their country, they have so far forgotten themselves, and so slightly regarded us and our good meaning, not only in delaying to hear you, and deferring your access to the Queen their sovereign, but also, which is strangest of all, in not vouchsafing to make any answer unto us. And altho' these dealings be such, indeed, as were not to be looked for at their hands, yet do we find their usage and proceeding towards their sovereign and Queen to overpass all the rest, in so strange a degree, as we for our part, and we suppose the whole world besides, cannot but think them to have therein gone so far beyond the duty of subjects, as must needs remain to their perpetual tauche for ever. And therefore ye shall say, that we have tho't good, without consuming any longer time in vain, to revoke you to our presence, requiring them to grant your licence and passport so to do, which, when you shall have obtained, we will that you make your repair hither unto us, with as convenient speed as you may. Given, &c. Indorsed 6th August, 1567.

of Morton's, and had married the earl of Murray's mother. In this place, under strict custody, with a few attendants, and subjected to the insults of a haughty woman, who boasted daily of being the lawful wife of James V., Mary suffered all the rigour and miseries of captivity.<sup>b</sup>

*Throckmorton to the Right Honourable Sir William Cecil, Knight, one of Her Majesty's Privy Council and Principal Secretary, give these.*

SIR,

What I have learned, since the arrival of my Lord of Murray, and Mons. de Linnerol, you shall understand by my letter to her Majesty, at this time. 12th Aug. The French do, in their negotiations, as they do in their drink, put water 1567. Paper to their wine. As I am able to see into their doings, they take it not greatly Office. to the heart how the Queen sleep, whether she live or die, whether she be From the at liberty or in prison. The mark they shoot at is, to renew their old league; original. and can be as well contented to take it of this little King (howsoever his title be), and the same by the order of these lords, as otherwise. Lyneroll came but yesterday, and methinketh he will not tarry long; you may guess how the French will seek to displease these lords, when they changed the coming of la Chapelle des Oursins for this man, because they doubted that de la Chapelle should not be grateful to them, being a Papist. Sir, to speak more plainly to you than I will do otherwise, methinketh the Earl of Murray will run the course that those men do, and be partaker of their fortune. I hear no man speak more bitterly against the tragedy, and the players therein, than he, so little like he hath to horrible sins. I hear an inkling that Ledington is to go into France, which I do as much mislike, as any thing, for our purpose. I can assure you the whole Protestants of France will live and die in these mens quarrels; and when there is bruit amongst you, that aid should be sent to the adverse party, and that Martigues should come hither with some force; Mons. Baudelot hath assured me of his honour, that instead of Martigues coming against them, he will come with as good a force to succour them; and if that be sent under meaner conduct, Robert Stuart shall come with as many to fortify them. But the constable hath assured these lords, that the King meaneth no way to offend them. Sir, I pray you find my revocation convenient, and speed you to further it, for I am here now to no purpose, unless it be to kindle these lords more against us. Thus I do humbly take my leave of you, from Edinburgh, the 12th of August, 1567.

Yours to use and command.

*The Queen to Sir Nicolas Throckmorton.*

Trusty and well-beloved, we greet you well. We have, within these two days, received three sundry letters of yours, of the 20th, 22d, and 23d of this month, having not before these received any seven days before; and do find, by these your letters, that you have very diligently and largely advertised us of all the hasty and peremptory proceedings there; which as we nothing like, so we trust in time to see them wax colder, and to receive some reformation. For we cannot perceive, that they with whom you have dealt can answer the doubts moved by the Hamiltons, who howsoever they may be carried for their private respects, yet those things which they move will be allowed by all reasonable persons. For if they may not, being noblemen of the realm, be suffered to hear the Queen their sovereign declare her mind concerning the reports which are made of her, by such as keep her in captivity, how should they believe the reports, or obey them, which do report it? And therefore our meaning is, you shall let the Hamiltons plainly understand that we do well allow of their proceedings (as far forth as the same doth concern the Queen their sovereign for her relief), and in such things as shall appear reasonable for us therein to do for the Queen our sister, we will be ready to perform the same. And where it is so required, that upon your coming thence the Lord Scroope should deal with the Lord Hennis to impart their meanings to us, and ours to them, we are well pleased therewith, and we require you to advertise the Lord Scroope hereof by your letters, and to will him to shew himself favourable to them in their actions, that may appear plainly to tend to the relief of the Queen, and maintenance of her authority. And as we willed our secretary to write unto you, that, upon your message done to the Earl of Murray, you might return, so our meaning is you shall. And if these our letters shall meet you on the way, yet we will have you advertise both the Lord Scroope and the Hamiltons of our meaning.

Indorsed 29 Aug. 1567.

<sup>b</sup> Keith, 403. Note (b).

Immediately after the queen's imprisonment the confederates were at the utmost pains to strengthen their party; they entered into new bonds of association; they assumed the title of *Lords of the secret Council*, and without any other right, arrogated to themselves the whole regal authority. One of their first acts of power was to search the city of Edinburgh for such as had been concerned in the murder of the king. This show of zeal gained reputation to themselves, and threw an oblique reflection on the queen for her remissness. Several suspected persons were siezed. Captain Blackadder and three others were condemned and executed. But no discovery of importance was made. If we believe some historians, they were convicted by sufficient evidence. If we give credit to others, their sentence was unjust, and they denied, with their last breath, any knowledge of the crime for which they suffered.<sup>c</sup>

An unexpected accident, however, put into the hands of Mary's enemies what they deemed the fullest evidence of her guilt. Bothwell having left in the castle of Edinburgh a casket, containing several sonnets and letters written with the queen's own hand; he now sent one of his confidants to bring to him this precious deposite. But as his messenger returned, he was intercepted, and the casket seized by Morton.<sup>d</sup> The contents of it were always produced by the party as the most ample justification of their own conduct; and to these they continually appealed as the most unanswerable proof of their not having loaded their sovereign with the imputation of imaginary crimes.<sup>e</sup>

Some of the nobles favour the queen. But the confederates, notwithstanding their extraordinary success, were still far from being perfectly at ease. That so small a part of the nobles should pretend to dispose of their sovereign, or to assume the authority which belonged to her, without concurrence of the rest, was deemed by many of that body to be unprecedented and presumptuous. Several of these were now assembled at Hamilton, in order to deliberate what course they should

<sup>c</sup> Cald. vol. ii. 53. Crawf. Mem. 35. <sup>d</sup> Anders. vol. ii. 92. Good. vol. ii. 90.

<sup>e</sup> See Dissertation at the end of the History.



hold in this difficult conjuncture. The confederates made some attempts towards a coalition with them, but without effect. They employed the mediation of the assembly of the church, to draw them to a personal interview at Edinburgh, but with no better success. That party, however, though its numbers were formidable, and the power of its leaders great, soon lost reputation by the want of unanimity and vigour; all its consultations evaporated in murmurs and complaints, and no scheme was concerted for obstructing the progress of the confederates.<sup>f</sup>

Elizabeth  
interposes  
in her be-  
half.

There appeared some prospect of danger from another quarter. This great revolution in Scotland had been carried on without any aid from Elizabeth, and even without her knowledge.<sup>g</sup> Though she was far from being displeased at seeing the affairs of that kingdom embroiled, or a rival, whom she hated, reduced to distress; she neither wished that it should be in the power of the one faction entirely to suppress the other, nor could she view the steps taken by the confederates without great offence. Notwithstanding the popular maxims by which she governed her own subjects, her notions of royal prerogative were very exalted. The confederates had in her opinion, encroached on the authority of their sovereign, which they had no right to controul, and had offered violence to her person, which it was their duty to esteem sacred. They had set a dangerous example to other subjects, and Mary's cause became the common cause of princes.<sup>h</sup> If ever Elizabeth was influenced with regard to the affairs of Scotland by the feelings of her heart, rather than by considerations of interest, it was on this occasion. Mary, in her present condition, degraded from her throne, and covered with the infamy attending an accusation of such atrocious crimes, could be no longer the object of Elizabeth's jealousy, either as a woman or as a queen. Sympathy with a sovereign in distress seems, for a moment, to have touched a heart not very susceptible of tender sentiments; and, while these were yet warm, she dispatched Throk Morton into Scotland, with

<sup>f</sup> Keith, 407.

<sup>g</sup> Id. 415.

<sup>h</sup> Id. 412. 415.

June 30. power to negotiate both with the queen and with the confederates. In his instructions there appears a remarkable solicitude for Mary's liberty, and even for her reputation; and the terms upon which she proposed to re-establish concord between the queen and her subjects, appear to be so reasonable and well-digested, as might have ensured the safety and happiness of both. Zealous as Throk Morton was to accomplish this, all his endeavours and address proved ineffectual. He found not only the confederate nobles, but the nation in general, so far alienated from the queen, and so much offended with the indecent precipitancy of her marriage with the reputed murderer of her former husband, as to be incapable of listening to any proposition in her favour.

During the state of anarchy occasioned by the imprisonment of the queen, and the dissolution of the established government, which afforded such ample scope for political speculation, four different schemes had been proposed for the settlement of the nation. One, that Mary should be replaced upon the throne, but under various and strict limitations. The second, that she should resign the crown to her son, and, retiring out of the kingdom, should reside, during the remainder of her days, either in England or in France. The third, that Mary should be brought to public trial for her crimes, and, after conviction, of which no doubt was entertained, should be kept in perpetual imprisonment. The fourth, that after trial and condemnation, capital punishment should be inflicted upon her. Throk Morton, though disposed, as well by his own inclinations as in conformity to the spirit of his instructions, to view matters in the light most favourable to Mary, informed his court, that the milder schemes, recommended by Maitland alone, would undoubtedly be reprobated, and one of the more rigorous carried into execution.

In justification of this rigour, the confederates maintained that Mary's affection for Bothwell was still unabated, and openly avowed by her; that she rejected with disdain every proposal for dissolving their marriage; and declared, that

she would forego every comfort, and endure any extremity rather than give her consent to that measure. While these were her sentiments, they contended, that concern for the public welfare, as well as attention to their own safety, rendered it necessary to put it out of the queen's power to restore a daring man, exasperated by recent injuries, to his former station which must needs prove fatal to both. Notwithstanding their solicitude to conciliate the good-will of Elizabeth, they foresaw clearly what would be the effect, at this juncture, of Throckmorton's interposition in behalf of the queen, and that she, elated with the prospect of protection, would refuse to listen to the overtures which they were about to make to her. For this reason they peremptorily denied Throckmorton access to their prisoner; and what propositions he made to them in her behalf they either refused or eluded.<sup>1</sup>

Schemes of the confederate nobles. Meanwhile they deliberated with the utmost anxiety concerning the settlement of the nation, and the future disposal of the queen's person. Elizabeth observing that Throckmorton made no progress in his negotiations with them, and that they would listen to none of his demands in Mary's favour, turned towards that party of the nobles who were assembled at Hamilton, incited them to take arms in order to restore their queen to liberty, and promised to assist them in such an attempt to the utmost of her power.<sup>k</sup> But they discovered no greater union

<sup>1</sup> Keith, 418. 427.

<sup>k</sup> *Sir Nicholas Throckmorton to the Archbishop of St. Andrew's and the Abbot of Arbroth.*

After my good commendations to your good Lordships, this shall be to 13th Aug. advertize you, that the Queen's Majesty my sovereign having sent me 1567. Pa- hither her ambassador to the Queen her sister your sovereign, to commu- per Office. nicate unto her such matter as she thought meet, considering the good ami- From a ty and intelligence betwixt them, who being detained in captivity (as your copy Lordships know) contrary to the duty of all good subjects, for the enlarge- which Sir ment of whose person, and the restitution of her to her dignity, her Ma- Nicholas jesty gave me in charge to treat with these lords, assembled at Edinburgh, sent to the offering them all reasonable conditions and means as might be, for the Queen. safeguard of the young Prince, the punishment of the late horrible murder, the dissolution of the marriage betwixt the Queen and the earl of Bodwell, and lastly for their own sureties. In the negotiation of which matters I have (as your Lordships well know) spent a long time to no purpose, not being able to prevail in any thing with those lords to the Queen my sovereign's satisfaction. Of which strange proceedings towards her Majesty, and undutiful behaviour towards their sovereign, I have advertised the queen's Majesty, she (not being minded to bear this indignity) hath given me in charge to declare her further pleasure unto them, in such sort as they may well perceive her Majesty doth disallow of their proceedings, and thereupon

and vigour than formerly, and, behaving like men who had given up all concern either for their queen or their country, tamely allowed an inconsiderable part of their body, whether we consider it with respect to numbers or to power, to settle the government of the kingdom, and to dispose of the queen's person at pleasure. Many consultations were held, and various opinions arose with regard to each of these. Some seemed desirous of adhering to the plan on which the confederacy was at first formed; and after punishing the murderers of the king, and dissolving the marriage with Bothwell; after providing for the safety of the young prince, and the security of the Protestant religion: they proposed to re-establish the queen in the possession

hath revoked me. And further hath given me in charge to communicate the same unto your Lordships, requiring you to let me know, before my departure hence (which shall be, God willing, as soon as I have received answer from you) what you and your confederates will assuredly do, to set the Queen your sovereign at liberty, and to restore her to her former dignity by force or otherwise; seeing these lords have refused all other mediation, to the end the Queen's Majesty my sovereign may concur with your Lordships in this honourable enterprize.

And in case, through the dispersion of your associates, your Lordships can neither communicate this matter amongst you, nor receive resolution of them all by that time, it may please you to send me the opinion of so many of you as may confer together, within two or three days, so as I may have your answer here in this town by Monday or Tuesday next at the farthest, being the 19th of this August; for I intend (God willing) to depart towards England, upon Wednesday following. Thus I must humbly take my leave of your Lordships at Edinburgh, the 13th of Aug. 1567.

Indorsed the 13th of Aug, 1567.

*Sir Nicholas Throckmorton to the Lord Herryss.*

24th Aug. 1567. Pa-  
per Office.  
From a  
copy  
which Sir  
Nicholas  
sent to  
Secretary  
Cecil.

Your good Lordship's letter of the 13th of August I have received the 19th of the same. For answer whereunto it may like your Lordship to understand that I will signify unto you plainly, how far forth I am already thoroughly instructed of the Queen's Majesty my sovereign's pleasure concerning the detention of the Queen your sovereign, and concerning her relief.

To the first her Majesty hath given in charge, to use all kinds of persuasion in her name, to move these lords assembled at Edinburgh to desist from this violent and undutiful behaviour, which they use towards their sovereign. And in this part, besides the shew of many reasons, and sundry persuasions of amicable treaty with them, her Majesty hath willed me to use some plain and severe speech unto them, tending so far forth, as if they would not be better advised, and reform these their outrageous proceedings exercised against their sovereign, that then they might be assured her Majesty neither would, nor could endure such an indignity to be done to the Queen, her good cousin and neighbour.

And notwithstanding these my proceedings with them, they have made proof to be little moved thereby; for as yet neither will they consent to the enlargement, neither suffer me to speak with her. So as it seemeth to me, it is superfluous to treat any more with them after this manner. Whereupon I have advertised the Queen's Majesty my sovereign, expecting daily her Majesty's further order; and as I shall be advertised thereof, so will not fail to signify the same to your good Lordship; and in the mean time will advertise her Majesty also, what your Lordship hath written unto me. Thus with my due commendations to your good Lordship, I commit the same to Almighty God, resting always to do you the pleasure and service that I can lawfully.

At Edinburgh.

Indorsed 24th of August, 1567.

of her legal authority. The success with which their arms had been accompanied, inspired others with bolder and more desperate thoughts, and nothing less would satisfy them than the trial, the condemnation, and punishment of the queen herself, as the principal conspirator against the life of her husband and the safety of her son :<sup>1</sup> the former was Maitland's system, and breathed too much of a pacific and moderate spirit, to be agreeable to the temper or wishes of the party. The latter was recommended by the clergy, and warmly adopted by many laics; but the nobles durst not, or would not, venture on such an unprecedented and audacious deed.<sup>m</sup>

They ob-  
lige the  
queen to  
resign the  
govern-  
ment.

Both parties agreed at last upon a scheme, neither so moderate as the one, nor so daring as the other. Mary was to be persuaded or forced to resign the crown; the young prince was to be proclaimed king, and the earl of Murray was to be appointed to govern the kingdom, during his minority, with the name and authority of regent. With regard to the queen's own person nothing was determined. It seems to have been the intention of the confederates to keep her in perpetual imprisonment; but in order to intimidate herself, and to overawe her partisans, they still reserved to themselves the power of proceeding to more violent extremes.

It was obvious to foresee difficulties in the execution of this plan. Mary was young, ambitious, high-spirited, and accustomed to command. To induce her to acknowledge her own incapacity for governing, to renounce the dignity and power which she was born to enjoy, to become dependant on her own subjects, to consent to her own bondage, and to invest those persons whom she considered as the authors of all her calamities with that honour and authority of which she herself was stripped, were points hard to be gained. These, however, the confederates attempted,

<sup>1</sup> Keith, 420—422. 582.

The intention of putting the queen to death seems to have been carried on by some of her subjects: at this time we often find Elizabeth boasting that Mary owed her life to her interposition. Digges's Compl. Amb. 14, &c. See page 343, Note.

and they did not want means to ensure success. Mary had endured for several weeks, all the hardships and terror of a prison; no prospect of liberty appeared; none of her subjects had either taken arms, or so much as solicited her relief;<sup>a</sup> no person, in whom she could confide, was admitted into her presence; even the ambassadors of the French king, and queen of England, were refused access to her. In this solitary state, without a counsellor, or a friend, under the pressure of distress and the apprehension of danger, it was natural for a woman to hearken almost to any overtures. The confederates took advantage of her condition and of her fears. They employed lord Lindsay, the fiercest zealot in the party, to communicate their scheme to the queen, and to obtain her subscription to those papers which were necessary for rendering it effectual. He executed his commission with harshness and brutality. Certain death was before Mary's eyes if she refused to comply with his demands. At the same time she was informed by Sir Robert Melvil, in the name of Athol, Maitland, and Kirkaldy, the persons among the confederates who were most attentive to her interest, that a resignation extorted by fear, and granted during her imprisonment, was void in law, and might be revoked as soon as she recovered liberty. Throckmorton, by a note which he found means of conveying to her, suggested the same thing.<sup>o</sup> Deference to their opinion, as well as concern for her own safety, obliged her to yield to every thing which was required, and to sign all the papers which Lindsay presented to her. By one of these she resigned the crown, renounced all share in the government of the kingdom, and consented to the coronation of the young king. By another, she appointed the earl of Murray regent, and conferred upon him all the powers and privileges of that high office. By a third, she substituted some other nobleman in Murray's place, if he should refuse the honour which was designed for him. Mary, when she subscribed these deeds, was bathed in

July 24.

<sup>a</sup> Keith, 425.

<sup>o</sup> Ibid, 425. Note (b). Melv. 169.

tears; and while she gave away, as it were with her own hands, the sceptre which she had swayed so long, she felt a pang of grief and indignation, one of the severest, perhaps which can touch the human heart.<sup>p</sup>

James VI. crowned, and Murray chosen regent. The confederates endeavoured to give this resignation all the weight and validity in their power, by proceeding without delay to crown the young prince. The ceremony was performed at Stirling, on the 29th of July, with much solemnity, in presence of all the nobles of the party, a considerable number of lesser barons, and a great assembly of the people. From that time, all public writs were issued, and the government carried on, in the name of James VI.<sup>q</sup>

No revolution so great was ever effected with more ease, or by means so unequal to the end. In a warlike age, and in less time than two months, a part of the nobles, who neither possessed the chief power, nor the greatest wealth in the nation, and who never brought three thousand men into the field, seized, imprisoned, and dethroned their queen, and, without shedding a single drop of blood, set her son, an infant of a year old, on the throne.

Reasonings of both parties. During this rapid progress of the confederates, the eyes of all the nation were turned on them with astonishment; and various and contradictory opinions were formed concerning the extraordinary steps which they had taken.

Even under the aristocratical form of government which prevails in Scotland, said the favourers of the queen, and notwithstanding the exorbitant privileges of the nobles, the prince possesses considerable power, and his person is treated with great veneration. No encroachments should be made on the former, and no injury offered to the latter, but in cases where the liberty and happiness of the nation cannot be secured by any other means. Such cases seldom exist, and it belongs not to any part, but to the whole, or at least to a majority of the society, to judge of their existence. By what action could it be pretended that Mary had invaded

<sup>p</sup> Keith, 433. Crawford Mem. 38.

<sup>q</sup> Keith, 437.

the rights and property of her subjects, or what scheme had she formed against the liberty and constitution of the kingdom? Were fears, and suspicions, and surmises, enough to justify the imprisoning and the deposing a queen, to whom the crown descended from so long a race of monarchs? The principal author of whatever was reckoned culpable in her conduct, was now driven from her presence. The murderers of the king might have been brought to condign punishment, the safety of the prince had been secured, and the Protestant religion have been established, without wresting the sceptre out of her hands, or condemning her to perpetual imprisonment. Whatever right a free parliament might have had to proceed to such rigorous conclusion, or whatever name its determinations might have merited, a sentence of this nature, passed by a small party of the nobility, without acknowledging or consulting the rest of the nation, must be deemed a rebellion against the government, and a conspiracy against the person of their sovereign.

The partisans of the confederates reasoned very differently. It is evident, said they, that Mary either previously gave consent to the king's murder, or did afterward approve of that horrid action. Her attachment to Bothwell, the power and honours which she has conferred upon him, the manner in which she suffered his trial to be carried on, and the indecent speed with which she married a man stained with so many crimes, raised strong suspicions of the former, and put the latter beyond all doubt. To have suffered the supreme power to continue in the hands of an ambitious man, capable of the most atrocious and desperate actions, would have been disgraceful to the nation, dishonourable to the queen, and dangerous to the prince. Recourse was therefore had to arms. The queen had been compelled to abandon a husband so unworthy of herself. But her affection towards him still continuing unabated; her indignation against the authors of this separation being visible, and often expressed in the strongest terms; they, by restoring her to her ancient authority, would have armed her with power to destroy themselves, have enabled her to recall



Bothwell, and have afforded her an opportunity of pursuing schemes fatal to the nation with greater eagerness, and with more success. Nothing therefore remained, but by one bold action to deliver themselves and their country from all future fears. The expedient they had chosen was no less respectful to the royal blood, than necessary for the public safety. While one prince was set aside as incapable of governing, the crown was placed on his head who was the undoubted representative of their ancient kings.

Whatever opinion posterity may form on comparing the arguments of the two contending parties, whatever sentiments we may entertain concerning the justice or necessity of that course which the confederates held, it cannot be denied that their conduct, so far as regarded themselves, was extremely prudent. Other expedients, less rigorous towards Mary, might have been found for settling the nation; but, after the injuries which they had already offered the queen, there was none so effectual for securing their own safety, or perpetuating their own power.

To a great part of the nation, the conduct of the confederates appeared not only wise, but just. The king's accession to the throne was every where proclaimed, and his authority submitted to without opposition. Though several of the nobles were still assembled at Hamilton, and seemed to be entering into some combination against his government, an association for supporting it was formed, and signed by so many persons of power and influence throughout the nation, as entirely discouraged the attempt.\*

Murray assumes the government. The return of the earl of Murray, about this time, added strength to the party, and gave it a regular and finished form. Soon after the murder of the king, this nobleman had retired into France, upon what pretence historians do not mention. During his residence there, he had held a close correspondence with the chiefs of the confederacy, and, at their desire, he now returned. He seemed, at first, unwilling to accept the office of regent. This hesitation cannot be ascribed to the scruples either of

\* Anders. vol. ii. 231.

diffidence or of duty. Murray wanted neither the abilities nor the ambition which might incite him to aspire to this high dignity. He had received the first accounts of his promotion with the utmost satisfaction; but, by appearing to continue for some days in suspense, he gained time to view with attention the ground on which he was to act; to balance the strength and forces of the two contending factions, and to examine whether the foundation on which his future fame and success must rest, were sound and firm.

Before he declared his final resolution, he waited on Mary at Lochleven. This visit, to a sister, and a queen, in a prison, from which he had neither any intention to relieve her, nor to mitigate the rigour of her confinement, may be mentioned among the circumstances which discover the great want of delicacy and refinement in that age. Murray, who was naturally rough and uncourtly in his manner,<sup>s</sup> expostulated so warmly with the queen concerning her past conduct, and charged her faults so home upon her, that Mary, who had flattered herself with more gentle and brotherly treatment from him, melted into tears, and abandoned herself entirely to despair.<sup>t</sup> This interview, from which Murray could reap no political advantage, and wherein he discovered a spirit so severe and unrelenting, may be reckoned among the most bitter circumstances in Mary's life, and is certainly one of the most unjustifiable steps in his conduct.

Aug. 22. Soon after his return from Lochleven, Murray accepted the office of regent, and began to act in that character without opposition.

Fate of Bothwell. Amidst so many great and unexpected events, the fate of Bothwell, the chief cause of them all, hath been almost forgotten. After his flight from the confederates, he lurked for some time among his vassals in the neighbourhood of Dunbar. But finding it impossible for him to make head, in that country, against his enemies, or even to secure himself from their pursuit, he fled for shelter to his kinsman the bishop of Murray; and when he, over-

<sup>s</sup> Keith, 96.

<sup>t</sup> Id. 445, 446.

owed by the confederates, was obliged to abandon him, he retired to the Orkney Isles. Hunted from place to place, deserted by his friends, and accompanied by a few retainers, as desperate as himself, he suffered at once the miseries of infamy and of want. His indigence forced him upon a course which added to his infamy. He armed a few small ships, which had accompanied him from Dunbar, and attacking every vessel which fell in his way, endeavoured to procure subsistence for himself and his followers by piracy. Kirkaldy and Murray of Tullibardin were sent out against him by the confederates; and, surprising him while he rode at anchor, scattered his small fleet, took a part of it, and obliged him to fly with a single ship towards Norway. On that coast he fell in with a vessel richly laden, and immediately attacked it; the Norwegians sailed with armed boats to its assistance, and, after a desperate flight Bothwell and all his crew were taken prisoners. His name and quality were both unknown, and he was treated at first with all the indignity and rigour which the odious crime of piracy merited. His real character was soon discovered, and though it saved him from the infamous death to which his associates were condemned, it could neither procure him liberty, nor mitigate the hardships of his imprisonment. He languished ten years in this unhappy condition; melancholy and despair deprived him of reason, and at last he ended his days unpitied by his countrymen, and unassisted by strangers.<sup>u</sup> Few men ever accomplished their ambitious projects by worse means, or reaped from them less satisfaction. The early part of his life was restless and enterprising, full of danger and vicissitudes. His enjoyment of the grandeur, to which he attained by so many crimes, was extremely short; embittered by much anxiety, and disquieted by many fears. In his latter years, he suffered the most intolerable calamities to which the wretched are subject, and from which persons who have moved in so high a sphere are commonly exempted.

<sup>u</sup> Melv. 168.

Success  
of the re-  
gent's  
adminis-  
tration.

The good effects of Murray's accession to the regency were quickly felt. The party forming for the queen was weak, irresolute, and disunited; and, no sooner was the government of the kingdom in the hands of a man so remarkable both for his abilities and popularity, than the nobles of whom it was composed, lost all hopes of gaining ground, and began to treat separately with the regent. So many of them were brought to acknowledge the king's authority, that scarce any appearance of opposition to the established government was left in the kingdom. Had they adhered to the queen with any firmness, it is probable from Elizabeth's disposition at that time, that she would have afforded them such assistance, as might have enabled them to face their enemies in the field. But there appeared so little vigour or harmony in their councils, that she was discouraged from espousing their cause; and the regent, taking advantage of their situation, obliged them to submit to his government, without granting any terms, either to themselves or to the queen.\*

The regent was no less successful in his attempt to get into his hands the places of strength in the kingdom. Balfour, the deputy-governor, surrendered the castle of Edinburgh; and as the reward of his treachery, in deserting Bothwell his patron, obtained terms of great advantage to himself. The governor of Dunbar, who discovered greater fidelity, was soon forced to capitulate; some other small forts surrendered without resistance.

A parlia-  
ment.  
Dec. 15.

This face of tranquillity in the nation encouraged the regent to call a meeting of parliament. Nothing was wanting to confirm the king's authority, and the proceedings of the confederates, except the approbation of this supreme court; and, after the success which had attended all their measures, there could be little doubt of obtaining it. The numbers that resorted to an assembly which was called to deliberate on matters of so much importance, were great. The meeting was opened with the

\* Keith, 447. 450. 463.

utmost solemnity, and all its acts passed with much unanimity. Many, however, of the lords who had discovered the warmest attachment to the queen, were present. But they had made their peace with the regent. Argyll, Huntly, and Herries acknowledged, openly in parliament, that their behaviour towards the king had been undutiful and criminal.<sup>7</sup> Their compliance, in this manner, with the measures of the regent's party, was either the condition on which they were admitted into favour, or intended as a proof of the sincerity of their reconciliation.

Confirms the proceedings of the confederates. The parliament granted every thing the confederates could demand, either for the safety of their own persons, or the security of that form of government which they had established in the kingdom. Mary's resignation of the crown was accepted, and declared to be valid. The king's authority and Murray's election, were recognized and confirmed. The imprisoning the queen, and all the other proceedings of the confederates, were pronounced lawful. The letters which Mary had written to Bothwell were produced, and she was declared to be accessory to the murder of the king.<sup>2</sup> At the

<sup>7</sup> Anders. vol. iv. 153.

*Account of Lord Herreis's behaviour in the Parliament held December, 15, 1567.*

**Paper Office.** The lord Herry's made a notable harangue in the name of the Duke and himself, their friends and adherents (the Duke himself, the Earl of Cassilles, and the Abbot of Kilwinning being also present), to persuade the union of the whole realm in one mind. Wherein he did not spare to set forth solemnly the great praise that part of this nobility did deserve, which in the beginning took means for the punishment of the Earl Bothwell; as also seeing the Queen's inordinate affection to that wicked man, and that she could not be induced by their persuasion to leave him, than in sequestering her person within Lochleven, they did the duty of noblemen. That their honourable doings, which had not spared to hazard their lives and lands, to avenge their native country from the slanderous reports that were spoken of it among other nations, had well deserved that all their brethren should join with them in so good a cause. That he and they, in whose names they did speak, would willingly, and without any compulsion, enter themselves in the same yoke, and put their lives and lands in the like hazard, for maintenance of our cause. And if the Queen herself were in Scotland, accompanied with 20,000 men, they will be of the same mind, and fight in our quarrel. He hoped the remainder noblemen of their party, Huntly, Arguile, and others, which had not as yet acknowledged the King, would come to the same conformity, whereunto he would also earnestly move them. And if they will remain obstinate, and refuse to qualify themselves, then will the Duke, he and their friends, join with us to correct them, that otherwise will not reform themselves. So plausible an oration, and more advantageous for our party, none of ourselves could have made. He did not forget to term my Lord Regent by the name of Regent (there was no mention at all of the Earl of Murray), and to call him Grace at every word, when his speeches were directed to him, accompanying all his words with low courtesies after his manner.

<sup>2</sup> Good. vol. ii. 66. Anders. vol. ii. 206.

same time, all the acts of parliament of the year 1560, in favour of the Protestant religion, were publicly ratified; new statutes to the same purpose were enacted; and nothing that could contribute to root out the remains of Popery, or to encourage the growth of the Reformation, was neglected. It is observable, however, that the same parsimonious spirit prevailed in this parliament, as in that of the year 1560. The Protestant clergy, notwithstanding many discouragements, and their extreme poverty, had, for seven years, performed all religious offices in the kingdom. The expedients fallen upon for their subsistence had hitherto proved ineffectual, or were intended to be so. But, notwithstanding their own indigence, and the warm remonstrances of the assembly of the church, which met this year, the parliament did nothing more for their relief than prescribe some new regulations concerning the payment of the thirds of benefices, which did not produce any considerable change in the situation of the clergy.

<sup>1568.</sup>  
Jan. 3. A few days after the dissolution of parliament, four of Bothwell's dependants were convicted of being guilty of the king's murder, and suffered death as traitors. Their confessions brought to light many circumstances relative to the manner of committing that barbarous crime; but they were persons of low rank, and seem not to have been admitted into the secrets of the conspiracy.\*

Notwithstanding the universal submission to the regent's authority, there still abounded in the kingdom many secret murmurs and cabals. The partisans of the house of Hamilton reckoned Murray's promotion an injury to the duke of Chatelherault, who, as first prince of the blood, had, in their opinion, an undoubted right to be regent. The length and rigour of Mary's sufferings began to move many to commiserate her case. All who leaned to the ancient opinions in religion dreaded the effects of Murray's zeal. And he, though his abilities were great, did not possess the talents requisite for soothing the rage or removing the jealousies of the different factions. By insinuation, or ad-

\* Anders. vol. ii. 165.

dress, he might have gained or softened many who had opposed him ; but he was a stranger to these gentle arts. His virtues were severe ; and his deportment towards his equals, especially after his elevation to the regency, distant and haughty. This behaviour offended some of the nobles, and alarmed others. The queen's faction, which had been so easily dispersed, began again to gather and to unite, and was secretly favoured by some who had hitherto zealously concurred with the confederates.<sup>b</sup>

Mary escaped from Lochleven. Such was the favourable disposition of the nation towards the queen, when she recovered her liberty,

in a manner no less surprising to her friends, than unexpected by her enemies. Several attempts had been made to procure her an opportunity of escaping, which some unforeseen accident, or the vigilance of her keepers, had hitherto disappointed. At last, Mary employed all her art to gain George Douglas, her keeper's brother, a youth of eighteen. As her manners were naturally affable and insinuating, she treated him with the most flattering distinction : she even allowed him to entertain the most ambitious hopes, by letting fall some expressions, as if she would choose him for her husband.<sup>c</sup> At his age, and in such circumstances, it was impossible to resist such a temptation. He yielded, and drew others into the plot. On Sunday the 2d of May, while his brother sat at supper, and the rest of the family were retired to their devotions, one of his accomplices found means to steal the keys out of his brother's chamber, and opening the gates to the queen and one of her maids, locked them behind her, and then threw the keys into the lake. Mary ran with precipitation to the boat which was prepared for her, and on reaching the shore, was received with the utmost joy, by Douglas, lord Seaton, and Sir James Hamilton, who, with a few attendants, waited for her. She instantly mounted on horseback, and rode full speed towards Niddrie, lord Seaton's seat in West-Lothian. She arrived there that night, without being pursued or interrupted. After halting three

<sup>b</sup> Melv. 179.

<sup>c</sup> Keith, 469. 481. Note.

hours, she set out for Hamilton ; and travelling at the same pace, she reached it next morning.

On the first news of Mary's escape, her friends, whom, in their present disposition, a much smaller accident would have roused, ran to arms. In a few days, her court was filled with a great and splendid train of nobles, accompanied by such numbers of followers, as formed an army above six thousand strong. In their presence she declared that the resignation of the crown, and the other deeds which she had signed during her imprisonment, were extorted from her by fear. Sir Robert Melvil confirmed her declaration ; and on that, as well as on other accounts, a council of the nobles and chief men of her party pronounced all these transactions void and illegal. At the same time, an association

May 8. was formed for the defence of her person and authority, and subscribed by nine earls, nine bishops, eighteen lords, and many gentlemen of distinction.<sup>d</sup> Among them we find several who had been present in the last parliament, and who had signed the counter-association in defence of the king's government ; but such sudden changes were then so common, as to be no matter of reproach.

At the time when the queen made her escape, the regent was at Glasgow, holding a court of justice. An event so contrary to their expectations, and so fatal to their schemes, gave a great shock to his adherents. Many of them appeared wavering and irresolute ; others began to carry on private negotiations with the queen ; and some openly revolted to her side. In so difficult a juncture, where his own fame, and the being of the party, depended on his choice, the regent's most faithful associates were divided in opinion. Some advised him to retire, without loss of time, to Stirling. The queen's army was already strong, and only eight miles distant ; the adjacent country was full of the friends and dependants of the house of Hamilton, and other lords of the queen's fac-

Arrives at  
Hamilton,  
and raises  
a numer-  
ous army.

Consterna-  
tion of the  
regent's  
adherents.

<sup>d</sup> Keith, 475.



tion; Glasgow was a large and unfortified town; his own train consisted of no greater number than usual in times of peace; all these reasons pleaded for a retreat. But, on the other hand, arguments were urged of no inconsiderable weight. The citizens of Glasgow were well affected to the cause; the vassals of Glencairn, Lennox, and Semple, lay near at hand, and were both numerous and full of zeal; succours might arrive from other parts of the kingdom in a few days; in war, success depends upon reputation, as much as upon numbers; reputation is gained or lost by the first step one takes; on all these considerations, a retreat would be attended with all the ignominy of a flight, and would at once dispirit his friends, and inspire his enemies with boldness. In such danger-

ous exigencies as this, the superiority of Murray's genius appeared, and enabled him both to choose

with wisdom and to act with vigour. He declared against retreating, and fixed his head-quarters at Glasgow. And while he amused the queen for some days, by pretending to hearken to some overtures which she made for accommodating their differences, he was employed, with the utmost industry, in drawing together his adherents from different parts of the kingdom. He was soon in a condition to take the field; and, though far inferior to the enemy in number, he confided so much in the valour of his troops and the experience of his officers, that he broke off the negotiation, and determined to hazard a battle.<sup>e</sup>

At the same time the queen's generals had com-  
 May 13. manded her army to move. Their intention was, to conduct her to Dumbarton castle, a place of great strength, which the regent had not been able to rest out of the hands of lord Fleming the governor; but if the enemy should endeavour to interrupt their march, they resolved not to decline an engagement. In Mary's situation, no resolution could be more imprudent. A part only of her forces was assembled. Huntly, Ogilvie, and

<sup>e</sup> Buchan. 369.

the northern clans were soon expected; her sufferings had removed or diminished the prejudices of many among her subjects; the address with which she surmounted the dangers that obstructed her escape, dazzled and interested the people; the sudden confluence of so many nobles added lustre to her cause; she might assuredly depend on the friendship and countenance of France; she had reason to expect the protection of England; her enemies could not possibly look for support from that quarter. She had much to hope from pursuing slow and cautious measures; they had every thing to fear.

But Mary, whose hopes were naturally sanguine, and her passions impetuous, was so elevated by her sudden transition from the depth of distress, to such an unusual appearance of prosperity, that she never doubted of success. Her army, which was almost double to the enemy in number, consisted chiefly of the Hamiltons and their dependants. Of these the archbishop of St. Andrew's had the chief direction, and hoped, by a victory, not only to crush Murray, the ancient enemy of his house, but to get the person of the queen into his hands, and to oblige her to marry one of the duke's sons, or at least to commit the chief direction of her affairs to himself. His ambition proved fatal to the queen, to himself, and to his family.<sup>f</sup>

Battle of  
Langside. Mary's imprudence in resolving to fight, was not greater than the ill conduct of her generals in the battle. Between the two armies, and on the road towards Dumbarton, there was an eminence called Langside Hill. This the regent had the precaution to seize, and posted his troops in a small village, and among some gardens and enclosures adjacent. In this advantageous situation he waited the approach of the enemy, whose superiority in cavalry could be of no benefit to them on such broken ground. The Hamiltons, who composed the vanguard, ran so eagerly to the attack, that they put themselves out of breath, and left the main battle far behind. The encounter of the spearmen was fierce and desperate; but as the

<sup>f</sup> Anders. vol. iv. 32. Melv. 181.

forces of the Hamiltons were exposed, on the one flank, to a continued fire from a body of musqueteers, attacked on the other by the regent's most choice troops, and not supported by the rest of the queen's army, they were

The queen's  
army  
defeated.

soon obliged to give ground, and the rout immediately became universal. Few victories in a civil war, and among a fierce people, have been pursued with less violence, or attended with less bloodshed. Three hundred fell in the field : in the flight almost none were killed. The regent and his principal officers rode about, beseeching the soldiers to spare their countrymen. The number of prisoners was great, and among them many persons of distinction. The regent marched back to Glasgow, and returned public thanks to God for this great, and, on his side, almost bloodless victory.<sup>f</sup>

Her flight.

During the engagement, Mary stood on a hill at no great distance, and beheld all that passed in the field, with such emotions of mind as are not easily described. When she saw the army, which was her last hope, thrown into irretrievable confusion, her spirit, which all her past misfortunes had not been able entirely to subdue, sunk altogether. In the utmost consternation, she began her flight, and, so lively were her impressions of fear, that she never closed her eyes till she reached the abbey of Dundrenan in Galloway, full sixty Scottish miles from the place of battle.<sup>h</sup>

These revolutions in Mary's fortune had been no less rapid than singular. In the short space of eleven days she had been a prisoner at the mercy of her most inveterate enemies ; she had seen a powerful army under her command, and a numerous train of nobles at her devotion : and now she was obliged to fly, in the utmost danger of her life, and to lurk, with a few attendants, in a corner of her kingdom. Not thinking herself safe even in that retreat, her fears impelled her to an action, the most unadvised, as well as the most unfortunate, in her whole life. This was her retiring into England ; a step, which, on

<sup>f</sup> Keith, 477.

<sup>h</sup> Id. 481.

many accounts, ought to have appeared to her rash and dangerous.

Before Mary's arrival in Scotland, mutual distrust and jealousies had arisen between her and Elizabeth. All their subsequent transactions had contributed to exasperate and inflame these passions. She had endeavoured, by secret negotiations and intrigues, to disturb the tranquillity of Elizabeth's government, and to advance her own pretensions to the English crown, Elizabeth, who possessed great power, and acted with less reserve, had openly supported Mary's rebellious subjects, and fomented all the dissensions and troubles in which her reign had been involved. The maxims of policy still authorized that queen to pursue the same course; as, by keeping Scotland in confusion, she effectually secured the peace of her own kingdom. The regent, after his victory, had marched to Edinburgh, and, not knowing what course the queen had taken, it was several days before he thought of pursuing her.<sup>1</sup> She might have been concealed in that retired corner, among subjects devoted to her interest, until her party, which was dispersed rather than broken by the late defeat, should gather such strength that she could again appear with safety at their head. There was not any danger which she ought not to have run, rather than throw herself into the hands of an enemy, from whom she had already suffered so many injuries, and who was prompted, both by inclination and interest, to renew them.

But on the other hand, during Mary's confinement, Elizabeth had declared against the proceedings of her subjects, and solicited for her liberty, with a warmth which had all the appearance of sincerity. She had invited her to take refuge in England, and had promised to meet her in person, and to give her such a reception as was due to a queen, a kinswoman, and an ally.<sup>k</sup> Whatever apprehension Elizabeth might entertain of Mary's designs while she had power in her hands, she was, at present, the object, not of fear, but of pity; and to take advantage of her

<sup>1</sup> Crawf. Mem. 59.

<sup>k</sup> Camd. 489. Anders. vol. iv. 99, 120. Murdin, 369.

situation, would be both ungenerous and inhuman. The horrors of a prison were fresh in Mary's memory, and if she should fall a second time into the hands of her subjects, there was no injury, to which the presumption of success might not imbolden them to proceed. To attempt escaping into France, was dangerous; and, in her situation, almost impossible; nor could she bear the thoughts of appearing as an exile and a fugitive in that kingdom where she had once enjoyed the splendour of a queen. England remained her only asylum; and, in spite of the entreaties of lord Herries, Fleming, and her other attendants, who conjured her, even on their knees, not to confide in Elizabeth's promises of generosity, her infatuation was invincible, and she resolved to fly thither. Herries, by her command, wrote to Lowther the deputy-governor of Carlisle, to know what reception he would give her; and, before his answer could return, her fear and impatience were so great, that she got into a fisher-boat, and with about twenty attendants, landed at Wirkington in Cumberland, and thence she was conducted with many marks of respect to Carlisle.<sup>1</sup>

Her reception at Carlisle, May 16.

Elizabeth deliberates concerning the manner of treating her.

As soon as Mary arrived in England, she wrote a long letter to the queen, representing, in the strongest terms, the injuries which she had suffered from her own subjects, and imploring that pity and assistance which her present situation demanded.<sup>m</sup> An event so extraordinary, and the conduct which might be proper in consequence of it, drew the attention, and employed the thoughts, of Elizabeth and her council. If their deliberations had been influenced by considerations of justice or generosity alone, they would not have found them long or intricate. A queen, vanquished by her own subjects, and threatened by them with the loss of her liberty, or of her life, had fled from their violence, and thrown herself into the arms of her nearest neighbour and ally, from whom she had received repeated assurances of friendship and protection. These circumstances entitled her to respect and to compas-

<sup>1</sup> Keith, 483. Anders. vol. iv. 2.

<sup>m</sup> Ibid. 29.

sion, and required that she should either be restored to her own kingdom, or at least be left at full liberty to seek aid from any other quarter. But with Elizabeth and her counsellors, the question was not, what was most just or generous, but what was most beneficial to herself, and to the English nation. Three different resolutions might have been taken, with regard to the queen of Scots. To reinstate her in her throne, was one; to allow her to retire into France, was another; to detain her in England, was a third. Each of these drew consequences after it, of the utmost importance, which were examined, as appears from papers still extant,<sup>n</sup> with that minute accuracy which Elizabeth's ministers employed in all their consultations upon affairs of moment.

To restore Mary to the full exercise of the royal authority in Scotland, they observed, would render her more powerful than ever. The nobles who were most firmly attached to the English interest would quickly feel the utmost weight of her resentment. As the gratitude of princes is seldom strong or lasting, regard to her own interest might soon efface the memory of her obligations to Elizabeth, and prompt her to renew the alliance of the Scottish nation with France, and revive her own pretensions to the English crown. Nor was it possible to fetter and circumscribe the Scottish queen, by any conditions that would prevent these dangers. Her party in Scotland was numerous and powerful. Her return, even without any support from England, would inspire her friends with new zeal and courage; a single victory might give them the superiority, which they had lost by a single defeat, and render Mary a more formidable rival than ever to Elizabeth.

The dangers arising from suffering Mary to return into France, were no less obvious. The French king could not refuse his assistance towards restoring his sister and ally to her throne. Elizabeth would, once more, see a foreign army in the island, overawing the Scots, and ready to enter her kingdom; and, if the commotions in France,

<sup>n</sup> Anders. vol. iv. 34. 99. 102.

on account of religion, were settled, the princes of Lorraine might resume their ambitious projects, and the united forces of France and Scotland might invade England where it is weakest and most defenceless.

Resolves to detain her in England. Nothing therefore remained but to detain her in England; and to permit her either to live at liberty there, or to confine her in a prison. The former was a dangerous experiment. Her court would become a place of resort to all the Roman Catholics, to the disaffected, and to the lovers of innovation. Though Elizabeth affected to represent Mary's pretensions to the English crown as ill-founded, she was not ignorant that they did not appear in that light to the nation, that many thought them preferable even to her own title. If the activity of her emissaries had gained her so many abettors, her own personal influence was much more to be dreaded; her beauty, her address, her sufferings, by the admiration and pity which they would excite, could not fail of making many converts to her party.\*

It was indeed to be apprehended, that the treating Mary as a prisoner would excite universal indignation against Elizabeth, and that by this unexampled severity towards a queen, who implored, and to whom she had promised, her protection, she would forfeit the praise of justice and humanity, which was hitherto due to her administration. But the English monarchs were often solicitous to secure their kingdom against the Scots, as to be little scrupulous about the means which they employed for that purpose. Henry IV. had seized the heir of the crown of Scotland, who was forced by the violence of a storm, to take refuge in one of the ports of his kingdom; and, in contempt of the rights of hospitality, without regarding his tender age, or the tears and entreaties of his father, detained him a prisoner for many years. This action, though detested by posterity, Elizabeth resolved now to imitate. Her virtue was not more proof than that of Henry had been against the temptations of interest; and the possession of a present advantage was preferred to the prospect of future fame.

The satisfaction which she felt in mortifying a rival, whose beauty and accomplishments she envied, had, perhaps, no less influence than political considerations, in bringing her to this resolution. But, at the same time, in order to screen herself from the censure which this conduct merited, and to make her treatment of the Scottish queen look like the effect of necessity rather than of choice, she determined to assume the appearance of concern for her interest, and of deep sympathy with her sufferings.

May 20. With this view, she instantly dispatched lord Scrope, warden of the west marches, and Sir Francis Knollys, her vice-chamberlain, to the queen of Scots, with letters full of expressions of kindness and condolence. But, at the same time, they had private instructions to watch all her motions, and take care that she should not escape into her kingdom.<sup>p</sup> On their arrival, Mary demanded a personal interview with the queen, that she might lay before her the injuries which she had suffered, and receive from her those friendly offices which she had been encouraged to expect. They answered, that it was with reluctance admission into the presence of their sovereign was at present denied her; that while she lay under the imputation of a crime so horrid as the murder of her husband, their mistress, to whom he was so nearly allied, could not, without bringing a stain upon her own reputation, admit her into her presence; but, as soon as she had cleared herself from that aspersion, they promised her a reception suitable to her dignity, and aid proportioned to her distress.<sup>q</sup>

She offers to vindicate her conduct. Nothing could be more artful than this pretence; and it was the occasion of leading the queen of Scots into the snare in which Elizabeth and her ministers wished to entangle her. Mary expressed the utmost surprise at this unexpected manner of evading her request; but, as she could not believe so many professions of friendship to be void of sincerity, she frankly offered to submit her cause to the cognizance of Elizabeth, and un-

<sup>p</sup> Anders. vol. iv. 36. 70. 92.

<sup>q</sup> Id. vol. iv. 8. 55.



dertook to produce such proofs of her own innocence, and of the falsehood of the accusations brought against her, as should fully remove the scruples, and satisfy the delicacy, of the English queen. This was the very point to which Elizabeth laboured to bring the matter. In consequence of this appeal of the Scottish queen, she now considered herself as the umpire between her and her subjects, and foresaw that she would have it entirely in her own power to protract the inquiry to any length, and to perplex and involve it in endless difficulties. In the mean time, she was furnished with a plausible reason for keeping her at a distance from court, and for refusing to contribute towards placing her on the throne. As Mary's conduct had been extremely incautious, and the presumptions of her guilt were many and strong, it was not impossible her subjects might make good their charge against her; and if this should be the result of the inquiry, she would, thenceforth, cease to be the object of regard or of compassion, and the treating her with coldness and neglect would merit little censure. In a matter so dark and mysterious, there was no probability that Mary could bring proofs of her innocence, so uncontested, as to render the conduct of the English queen altogether culpable; and, perhaps, impatience under restraint, suspicion of Elizabeth's partiality, or the discovery of her artifices, might engage Mary in such cabals, as would justify the using her with greater rigour.

Elizabeth early perceived many advantages which would arise from an inquiry into the conduct of the Scottish queen, carried on under her direction. There was some danger, however, that Mary might discover her secret intentions too soon, and by receding from the offer which she had made, endeavour to disappoint them. But, even in that event, she determined not to drop the inquiry, and had thought of several different expedients for carrying it on. The countess of Lennox, convinced that Mary was accessory to the murder of her son, and thirsting for that vengeance which it was natural for a mother to demand, had implored Elizabeth's justice, and solicited her, with many

tears, in her own name, and in that of her husband's, to bring the Scottish queen to a trial for that crime.<sup>r</sup> The parents of the unhappy prince had a just right to prefer this accusation; nor could she, who was their nearest kinswoman, be condemned for listening to so equitable a demand. Besides, as the Scottish nobles openly accused Mary of the same crime, and pretended to be able to confirm their charge by sufficient proof, it would be no difficult matter to prevail on them to petition the queen of England to take cognizance of their proceedings against their sovereign; and it was the opinion of the English council, that it would be reasonable to comply with the request.<sup>s</sup> At the same time, the obsolete claim of the superiority of England over Scotland began to be talked of; and, on that account, it was pretended that the decision of the contest between Mary and her subjects belonged of right to Elizabeth.<sup>t</sup> But, though Elizabeth revolved all these expedients in her mind, and kept them in reserve to be made use of as occasion might require, she wished that the inquiry into Mary's conduct should appear to be undertaken purely in compliance with her own demand, and in order to vindicate her innocence; and so long as that appearance could be preserved, none of the other expedients were to be employed.

When Mary consented to submit her cause to Elizabeth, she was far from suspecting that any bad consequences could follow, or that any dangerous pretensions could be founded on her offer. She expected that Elizabeth herself would receive and examine her defences;<sup>u</sup> she meant to consider her as an equal, for whose satisfaction she was willing to explain any part of her conduct that was liable to censure, not to acknowledge her as a superior, before whom she was bound to plead her cause. But Elizabeth put a very different sense on Mary's offer. She considered herself as chosen to be judge in the controversy between the Scottish queen and her subjects, and began to act in that capacity. She proposed to appoint commissioners to

<sup>r</sup> Camd. 412. Haynes, 469.

<sup>t</sup> Id. Ibid.

<sup>s</sup> Anders. vol. iv. part. i. 37.

<sup>u</sup> Id. vol. iv. 10.

hear the pleadings of both parties, and wrote to the regent of Scotland to empower proper persons to appear before them in his name, and to produce what he could allege in vindication of his proceedings against his sovereign.

Mary greatly offended at Elizabeth's conduct. Mary had hitherto relied with unaccountable credulity on Elizabeth's professions of regard, and expected that so many kind speeches would, at last, be accompanied with some suitable actions. But

this proposal entirely undeceived her. She plainly perceived the artifice of Elizabeth's conduct, and saw what a diminution it would be to her own honour to appear on a level with her rebellious subjects, and to stand together with them at the bar of a superior and a judge. She retracted the offer which she had made, and which had been perverted to a purpose so contrary to her intention. She demanded, with more earnestness than ever, to be admitted

July 13. into Elizabeth's presence; and wrote to her in a

strain very different from what she had formerly used, and which fully discovers the grief and indignation that preyed on her heart. "In my present situation," says she, "I neither will nor can reply to the accusations of my subjects. I am ready, of my own accord, and out of friendship to you, to satisfy your scruples, and to vindicate my own conduct. My subjects are not my equals; nor will I, by submitting my cause to a judicial trial, acknowledge them to be so. I fled into your arms, as into those of my nearest relation and most perfect friend. I did you honour, as I imagined, in choosing you, preferably to any other prince, to be the restorer of an injured queen. Was it ever known that a prince was blamed for hearing, in person, the complaints of those who appealed to his justice, against the false accusations of their enemies? You admitted into your presence my bastard brother, who had been guilty of rebellion; and you deny me that honour! God forbid that I should be the occasion of bringing any stain upon your reputation! I expected that your manner of treating me would have added lustre to it. Suffer me either to implore the aid of other princes, whose delicacy on this head will

be less, and their resentment of my wrongs greater; or let me receive from your hands that assistance which it becomes you, more than any other prince to grant; and, by that benefit, bind me to yourself in the indissoluble ties of gratitude.”<sup>x</sup>

June 20. This letter somewhat disconcerted Elizabeth’s plan, but did not divert her from the prosecution of it. Elizabeth’s precautions against her. She laid the matter before the privy-council, and it was there determined, notwithstanding the entreaties and remonstrances of the Scottish queen, to go on with the inquiry into her conduct, and, until that were finished, it was agreed that Elizabeth could not, consistently with her own honour, or with the safety of her government, either give her the assistance which she demanded, or permit her to retire out of the kingdom. Lest she should have an opportunity of escaping, while she resided so near Scotland, it was thought advisable to remove her to some place at a greater distance from the borders.<sup>y</sup>

Proceedings of the regent against the queen’s adherents. While the English court was occupied in these deliberations, the regent did not neglect to improve the victory at Langside. That event was of the utmost importance to him. It not only drove the queen herself out of the kingdom, but left her adherents dispersed, and without a leader, at his mercy. He seemed resolved, at first, to proceed against them with the utmost rigour. Six persons of some distinction, who had been taken prisoners in the battle, were tried and condemned to death, as rebels against the king’s government. They were led to the place of execution, but, by the powerful intercession of Knox, they obtained a pardon. Hamilton of Bothwelhaugh was one of the number, who lived to give both the regent and Knox reason to repent of this commendable act of lenity.<sup>z</sup>

Soon after, the regent marched with an army, consisting of four thousand horse and one thousand foot, towards the west borders. The nobles in this part of the kingdom were all the queen’s adherents; but as they had not force

<sup>x</sup> Anders. vol. iv. part i. 94.

<sup>y</sup> Id. 102.

<sup>z</sup> Cald. vol. ii. 99.

sufficient to obstruct his progress, he must either have obliged them to submit to the king, or would have laid waste their lands with fire and sword. But Elizabeth, whose interest it was to keep Scotland in confusion, by preserving the balance between the two parties, and who was endeavouring to soothe the Scottish queen by gentle treatment, interposed at her desire. After keeping the field two weeks, the regent, in compliance to the English ambassador, dismissed his forces; and an expedition, which might have proved fatal to his opponents, ended with a few acts of severity.<sup>a</sup>

Mary carried to Bolton.

The resolution of the English privy-council, with regard to Mary's person, was soon carried into execution; and, without regarding her remonstrances or complaints, she was conducted to Bolton, a castle of Lord Scrope's, on the borders of Yorkshire.<sup>b</sup> In this

<sup>a</sup> Cald. vol. ii. 99.

<sup>b</sup> Anders. vol. iv. 14.

*Queen Mary to Queen Elizabeth.*

MADAM,

Cott. Lib.  
Cal. 1.  
A copy,  
and probably a  
translation.

Although the necessity of my cause (which maketh me to be importune to you) do make you to judge that I am out of the way; yet such as have not my passion, nor the respects whereof you are persuaded, will think that I do as my cause doth require. Madam, I have not accused you, neither in words, nor in thought, to have used yourself evil towards me. And I believe that you have no want of good understanding, to keep you from perswasion against your natural good inclination. But in the mean time I can't chuse (having my senses) but perceive very evil furtherance in my matters, since my coming hither. I thought that I had sufficiently discoursed unto you the discommodities, which this delay bringeth unto me; and especially that they think in this next month of August, to hold a parliament against me and all my servants; and in the mean time, I am stayed here, and yet will you, that I should put myself further into your country (without seeing you), and remove me further from mine; and there do me this dishonour at the request of my rebels, as to send commissioners to hear them against me, as you would do to a mere subject, and not hear me by mouth. Now, Madam, I have promised you to come to you, and having there made my moan and complaint of these rebels, and they coming thither, not as possessors, but as subjects to answer, I would have besought you to hear my justification of that which they have falsely set forth against me, and if I could not purge myself thereof, you might then discharge their hands of my causes, and let me go for such as I am. But to do as you say, if I were culpable I would be better advised; but being not so, I can't accept this dishonour at their hands, that being in possession they will come and accuse me before your commissioners, whereof I can't like: and seeing you think it to be against your honour and consignage to do otherwise, I beseech you that you will not be mine enemy, untill you may see how I can discharge myself every way, and to suffer me to go into France, where I have a dowry to maintain me; or at least to go into Scotland, with assurance that if their come any strangers thither, I will bind myself for their return, without any prejudice to you; or if it pleis you not to do thus, I protest that I will not impute it to falshood if I receive strangers in my country without making you any other discharge for it. Do with my body as you will, the honour or blame shall be yours. For I had rather die here, and that my faithful servants may be succoured (tho' you would not so) by strangers, than to suffer them to be utterly undone, upon hope to receive in time to come particular commodity. There be many things to move me to fear that I shall have to do in this country with others than with you. But forasmuch as nothing hath followed upon my last moan, I hold

place, her correspondence with her friends in Scotland became more difficult, and any prospect of making her  
 July 23. escape was entirely cut off. She now felt herself

to be completely in Elizabeth's power, and though treated as yet with the respect due to a queen, her real condition was that of a prisoner. Mary knew what it was to be deprived of liberty, and dreaded it as the worst of all evils. While the remembrance of her late imprisonment was still lively, and the terror of a new one filled her mind, Elizabeth thought it a proper juncture to renew her former pro-  
 July 28. position, that she would suffer the regent and his

adherents to be called into England, and consent to their being heard in defence of their own conduct. She declared it to be far from her intention to claim any right of judging between Mary and her subjects, or of degrading her

my peace, happen what may hap. I have as leef to my fortune, as to seek it and not  
 (abide) find it. Further, it pleased you to give license to my subjects to go and come.  
 (endure) This has been refused by my Lord Scroop and Mr. Knolls (as they say) by your commandment, because I would not depart hence to your charge, untill I had answer of this letter, tho' I shewed them, that you required my answer upon the two points contained in your letter.

The one is to let you briefly understand, I am come to you to make my moan to you, the which being heard, I would declare unto you mine innocency, and then require your aid; and for lack thereof, I can't but make my moan and complaint to God, that I am not heard in my just quarrel, and to appeal to other Princes to have respect thereunto as my case requireth; and to you, Madam, first of all, when you shall have examined your conscience before him, and have him for witness.—And the other, which is to come further into your country, and not to come to your presence, I will esteem that as no favour, but will take it for the contrary, obeying it as a thing forced. In mean time I beseech you to return to me my Lord Herries, for I can't be without him, having none of my counsail here, and also to suffer me, if it please you, without further delay, to depart hence whithersoever it be, out of this country. I am sure you will not deny me this simple request for your honour's sake, seeing it doth not please you to use your natural goodness towards me otherwise, and seeing that of mine own accord I am come hither, let me depart again with yours. And if God permit my causes to succeed well, I shall be bound to you for it; and happening otherwise, yet I can't blame you. As for my Lord Fleeming, seeing that upon my credit you have suffered him to go home to his house, I warrant you he shall pass no further, but shall return

Perhaps when it shall please you. In that you trust me, I will not (to die for it) deceive you. But from Dumbarton I answer not, when my Lord  
 for Fleeming shall be in the Tower. For they which are within it will not forbear to receive succour, if I don't assure them of yours; no, tho' you would charge me withal, for I have left them in charge, to have more respect to my servants and to my estate, than to my life. Good sister, be of another mind; win the heart, and all shall be yours, and at your commandment. I thought to satisfy you wholly, if I might have seen you. Alas! do not as the serpent, that stoppeth his hearing, for I am no enchanter, but your sister, and natural cousin. If Cæsar had not disdained to hear or read the complaint of an advertiser, he had not so died; why should Princes ears be stopped, seeing that they are painted so long? meaning that they should hear all and be well advised, before they answer. I am not of the nature of the basilisk, and less of the chameleon, to turn you to my likeness, and tho' I should be so dangerous and cursed as men say, you are sufficiently armed with constancy and with justice, which I require of God, who give you grace to use it well with long and happy life. From Carlisle, the 5th of July, 1568.

so far as to require that she should answer to their accusations. On the contrary, Murray and his associates were summoned to appear, in order to justify their conduct in treating their sovereign so harshly, and to vindicate themselves from those crimes with which she had charged them. On her part, Elizabeth promised, whatever should be the issue of this inquiry, to employ all her power and influence towards replacing Mary on her throne, under a few limitations, by no means unreasonable. Mary, deceived by this seeming attention to her dignity as a queen; soothed, on the one hand, by a promise more flattering than any which she had hitherto received from Elizabeth, and urged on the other, by the feelings which were natural on being conducted into a more interior part of England, and kept there in more rigorous confinement, complied at length with what Elizabeth required, and promised to send commissioners to the conferences appointed to be held at York.<sup>c</sup>

Agrees that an inquiry be made into her conduct. In order to persuade Elizabeth that she desired nothing so much as to render the union between them as close as possible, she shewed a disposition to relax somewhat in one point; with regard to which, during all her past and subsequent misfortunes, she was uniformly inflexible. She expressed a great veneration for the liturgy of the church of England; she was often present at religious worship, according to the rites of the reformed church; made choice of a protestant clergyman to be her chaplain; heard him preach against the errors of popery with attention and seeming pleasure; and discovered all the symptoms of an approaching conversion.<sup>d</sup> Such was

<sup>c</sup> Anders. iv. part. i. p. 11, 12, &c. 109, &c. Haynes, 468, &c. State Trials, Edit. Hargrave, i. 99.

<sup>d</sup> Anders. vol. iv. part i. 113. Haynes, 509.

*Part of a Letter from Sir Francis Knollis to Cecil, 8th of Aug. 1568, from Bolton.*

An original. Paper Office. — But surely this Queen doth seem, outwardly, not only to favour the form, but also the chief article of the religion of the gospel, namely, justification by faith only; and she heareth the faults of papistry revealed by preaching, or otherwise, with contented ears, and with gentle and weak replies, and she doth not seem to like the worse of religion throw me.

*Part of a Letter from Sir Francis Knollis to Cecil, 21 Sept. 1568, from Bolton.*

— It came to this Queen's ears of late that she was bruited to be lately turned to the religion of the gospell, to the great disliking of the Papists hereabouts, which thing

Mary's known and bigoted attachment to the popish religion, that it is impossible to believe her sincere in this part of her conduct; nor can any thing mark more strongly the wretchedness of her condition, and, the excess of her fears, than that they betrayed her into dissimulation, in a matter concerning which her sentiments were, at all other times, scrupulously delicate.

Aug. 18. At this time the regent called a parliament, in order  
A parliament in Scotland. to proceed to the forfeiture of those who refused to acknowledge the king's authority. The queen's adherents were alarmed, and Argyll and Huntly, whom Mary had appointed her lieutenants, the one in the south, and the other in the north of Scotland, began to assemble forces to obstruct this meeting. Compassion for the queen, and envy at those who governed in the king's name, had added so much strength to the party, that the regent would have found it difficult to withstand its efforts. But as Mary had submitted her cause to Elizabeth, she could not refuse, at her desire, to command her friends to lay down their arms, and to wait patiently until matters were brought to a decision in England. By procuring this cessation of arms, Elizabeth afforded as seasonable relief to the regent's faction, as she had formerly given to the queen's.<sup>e</sup>

The regent, however, would not consent, even at Elizabeth's request, to put off the meeting of parliament.<sup>f</sup> But

she herself confessed unto me, and yesterday, openly in the great chamber, when the assembly was full, and some Papists present, she took occasion to speak of religion, and then openly she professed herself to be of the Papist religion, and took upon her to patronize the same, more earnestly than she had done a great while afore, altho' her defences and arguments were so weak, that the effect of her speech was only to shew her zeal; and afterwards to me alone, when I misliked to see her become so confidently backward in religion, Why, said she, would you have me to lose France and Spain, and all my friends in other places, by seeming to change my religion, and yet I am not assured the Queen my good sister will be my assured friend, to the satisfaction of my honour and expectation.

<sup>e</sup> And. vol. iv. 125.

<sup>f</sup> *A Letter from my Lord Herries to my Lord Scroop and Sir F. Knollys, Sept, 3d, 1568.*

Cott. Lib. My Lords, pleasit your Honourable Lordships, I am informed by James  
Cal. C. Borthwick, lately come from the Queen's Majesty your soverane, that his  
An original in his schawin to her Highness I shuld have ridden in Crafordmure, sen my last  
own hand. cuming into this realm, upon the Earl of Murray's dependants; and that I  
shuld have causit, or been of counsall to Scottismen to have ridden in In-  
gland, to slay or spulzie her Majesty's subjects.

My Lord, I thought it right needful, because your Lordships is, by your soverane,



we may ascribe to her influence, as well as to the eloquence of Maitland, who laboured to prevent the one half of his

commanded to attend upon the Queen's Majesty my mistress, so having daily access in thir matters, to declare upon the truth; humbly desiring that your Lordships will, for God's cause, certificate the Queen your soverane the same.

As God lives, I have neither consented, nor any wise had knowledge of any Scottisman's riding in England, to do the subjects thereof hurt in bodies or goods, sene the siege of Leith; and as I understand it shall be fund true, that gif any sic open hurt be done, it is by the Queen my sovereign's disobedients; and that I have not ridden nor hurt no Scottishman, nor commanded no hurt to be done to them, sen my coming from the Queen's Majesty of England, it is well kend, for that never ane will complain of me.

I have done more good to Crawfordmure nor ever the Earl of Murray has done, and will be loather to do them any harm than he will. Except the Queen's Majesty yours sovereign command sic false reports to be tryit, quhereof this is altogidder an inventit leasing, her Grace sall be trublit, and tyne the hearts of true men here, quhom of sic report sallbe made, that baith would serve hir, and may, better than they unworthy liars.

My Lords, I understand the Queen's Majesty your sovereign is not contended of this brute, that there should any Frenchman come in this realm, with the Duke of Chatellerault. Truth it is, I am no manner of way the counsall of their cuning, nor has no sic certainty thereof, as I hear by Borthwick's report, from the Queen's Majesty your sovereign. And gif I might as well say it, as it is true indeed, her Grace's self is all the wytt, an the counsall that will never let her take order with my maistress cause. For that our sovereign havand her Majesty's promise, be writing, of luff, friendship, and assistance, gif need had so requirit, enterit that realm upon the 16 day of May, sen that time the Queen's Majesty has commanded me diverse times to declare she would accept her cause, and do for her, and to put her in peaceable possession of this realme; and when I required of her Majesty, in my maistress name, that her Highness would either do for her (as her special trust was she wold), according to her former promises, or otherwise give her counsal, wold not consent (as I show her Grace I fand diverse repugnant), then that she would permit her to pass in France, or to some other Prince to seek support, or failing hereof (quhilk was agains all reason), that she would permit her to return in her awin countrie, in sic sempil manner as she came out of it, and said to her Majesty ane of thir, for her honour, would not be refusit, seand that she was comed in her realm upon her writings and promises of friendship. And sicklike, I said to her Highness, gif my maistress had the like promise of her nobility and estates, as she had of herself, I should have reprovit them highly, gif they had not condescendit to one of thir three; and so I say, and so I write, that in the world it shall be maist reprehendable, gif this promise taketh not other good effect nor yet it does. Norwithstanding, I get gud answer of thir promises of friendship made to my sovereign, and to put her Grace in this her awin countrie peaceably, we have fund the contrary working by Mr. Middlemore directit from her Highness to stay the army that cuist down our houses. And alsua, in the proceeding of this late pretendit Parliament, promised twenty days before the time to myself, to have caused it been dischargit. And yet contrary to this promise, have they made their pretendit manner of forfaulture of 31 men of guid reputation, bishops, abbottis, and baronis, obedient subjects to our sovereign, only for her cause.

They have also dispoit, sen our sovereign's cause was taken upon hand be the Queen's Majesty of that realm, an hundred thousand pounds Scots worth of her awin true subjects geir, under the color of the law, groundit upon their false, treasonable, stowin authority.

The murders, the oppressions, the burnings, the ravishing of women, the destruction of policy both ecclesiastical and temporal, in this mean time, as in my former writings I said, it was lamentable to ony Christian man to hear; of except God gif grace, the profession of the evangile of Jesus Christ, professit be your Prince, counsall and realme, be mair myndit, nor the auld inamity that has stand betwixt the realms, many of my countrymen will doubt in this article, and their proceedings puttis myself in Sanct Thomas belief.

Now, my Lords, gif the Queen's Majesty of that realm, upon quhais promise and honour my maistress came there, as I have said, will leave all the French writings, and French phrases of writings, quhilks among in them is over meikle on baith the sides unfit, and plainly, according to the auld true custom of England and Scotland, quherein be a word promist truth was observ'd, promise, in the name of the eternal God, and

countrymen from exterminating the other, any appearances of moderation which this parliament discovered in its pro-

upon the high honour of that nobill and princely blude of the Kings of Ingland, quhereof she is descendit, and presently wears the diadem, that she will put my maistress in her awin country, and cause her as Queen thereof in her authority and strength to be obeyit, and to do the same will appoint an certain day within two months at the farthest, as we understand this to be our weil, sua will we, or the maist part of us all, follow upon it, leaving the Frenchmen, and their evil French phrases togidder. And therefore, and for the true perpetual friendship of that realm, will condition, and for our part, with the grace of Almighty God, keep sic heads and conditions of agreement, as noble and wise men can condescend upon, for the weil of this hail island. As I have been partlings declaring to the Queen your sovereign, quihlk I shew to your Lordships selfis both in religion, in the punishment of the Earl Bothwhile, for the Queen's last husband's slaughter, and for a mutual band of amity perpetually to remain amangis us.

Doubtless, my Lords, without that we may find sic time and friendly working, as may give us occasion baith to forgette Middlemore and his late pretendit Parliament, we will turn the leaf, leaving our sovereign agains our will to rest where she is, under the promise of friendship, as I have baith said, and will ever affirm, made by your sovereign, quihlk was only cause of her Grace's coming in that realme, and seek the help and moyen of French, or Spanish, till expulse this treasonable and false pretendit authority, quihlk means to reign above us.

My Lords, I desire your Lordships consider, that it is he that maist desires the amity betwixt Ingland and Scotland to continue, and of a poor man best cause has, that writ this.

My brother, the Laird of Skirling, schaws me, that in your Lordships communing with him, it appearit to him your mind was we shold suffer the Earl of Murray to work, altho' it were agains reason to us, and complain thereof to the Queen's Majesty, and her Highness wald see it reformat. My Lords, her Majesty will be over meikle troublit to reform the wranges we have sustainit already. For I am sure, gif reason and justice may have place, our maistress, and we her subjects, have received express wrang far above two hundred thousand pounds sterling, in the time of this unhappy government, seeing the reformation of sa great causes comes, now a days, so slowlie, and the ungodly law of oblivion in sic matters so meikle practis'd, I think, nowther for the Queen's honour, nor our weil, your Lordships would sua mean, nor that it is good to us to follow it. And that ye will give your Sovereign sic advisement thereof, as your good wisdoms shall find in this cause meet. It will be true and frindful working for us indeed, and nowther French phrases, nor boasting, and finding little other effect, that will cause us to hold away the Frenchmen. This is plainly written, and I desire your Lordships plain answer, for in truth and plainness longest continues gud friendship, quihlk in this matter I pray God may lang continue, and have your Lordships in his keeping. Off Dumfreis, the 3d day of September, 1568.

Your Lordships at my power  
to command leiffully

HERRIS.

*Queen Mary to Q. Elizabeth.*

1568. Madame ma bonne soeur. J'ay resceu de vos lettres, d'une mesme dete; Cott. Lib. l'une, ou vous faites mention de l'excuse de Mons<sup>r</sup>. de Murra pour tenir Cal. 1. An son pretendu parlement, qui me semble bien froid, pour obtenir plus de original. tolérance que je m'estois persuadée n'avoir par vostre promesse, quant a n'osser donner commission de venir sans un parlement pour leur peu de nombre de noblesse alors, je vous respons, qu'ils n'ont que trois ou quatre d'avantage, qui eussent aussi bien dit leur opinion hors de parlement, qui n'a esté tenu tant pour cette effect, mais pour faire ce qu'expressement nous avions requis estre empeschés, qui est la forfaiture de mes subjects pour m'avoir esté fidelles, ce que je m'assurois, j'usques a heir, avoir eu en promesse de vous, par la lettre ecrite a mi Lord Scrup e Maistre Knoles vous induire a ire contre eulx, voire, a les ensayre ressentir; toutefois je vois que je l'ay mal pris, j'en suis plus marrie, pour ce que sur votre lettre qu'il me monterent, et leur parole, je l'ay si divulgument assuray que pour vengeance que j'en desirasse, si non mettre difference entre leur faux deportemens, et les miens sincerés. Dans vostre lettre aussi datée du 10<sup>me</sup> d'Aoust, vous metties ces mots. "I think your adverse party, upon my sundry former advices, will hold no Parliament at all; and they do, it shall be only in form of an assembly to accord whom to send into this

ceeding. The most violent opponents of the king's government were forfeited; the rest were allowed still to hope for favour.<sup>g</sup>

Elizabeth No sooner did the queen of Scots submit her cause  
requires the regent to defend his conduct. to her rival, than Elizabeth required the regent to send to York deputies properly instructed for vindicating his conduct in presence of her commissioners.

It was not without hesitation and anxiety that the regent consented to this measure. His authority was already established in Scotland, and confirmed by parliament. To suffer its validity now to be called in question, and subjected to a foreign jurisdiction, was extremely mortifying. To accuse his sovereign before strangers, the ancient enemies of the Scottish name, was an odious task. To fail in this accusation was dangerous; to succeed in it was disgraceful.

realm, and in what sort; for otherwise, if they shall proceed in manner of a Parliament, with any act of judgment against any person, I shall not, in any wise, allow thereof; and if they shall be so overseen, then you may think the same to be of no other moment, than the former procedures; and by such their rash manner of proceeding, they shall most prejudice themselves, and be assured to find me ready to condemn them, in their doings." Sur quoy, j'ay contremandé mes serviteurs, les faissant retirer, souffrant selon vostre commandement d'estre faussement nommés traîtres, par ceulx, qui le sont de vray; et encore d'estre provoques par escarmons dies, et par prinses de mes gens et lettres, et au contraire vous estes informée que mes subjects ont evahis les vostres, Madame, qui a fait ce rapport n'est pas homme de bien, car Laird de Sesford et son fils sont et ont estes mes rebelles depuis le commencement; enquirés vous, s'ils n'estoient a Donfris aveques eulx; j'avois offri respondre de la frontiere, ce que me fut refusé, ce que m'en devoit asses descharger; néanmoins, pour vous faire preuve de ma fidelité, et de leur falcité, s'il vous me fayte donner le nom des coupables, et me fortifier, je commanderay mes subjects les pour suivre, ou si vous voules que ce soit les vostres, les miens leur ayderont; je vous prie m'en mander vostre volonté, au reste mes subjects fidelles seront responsables a tout ce que leur sera mis su les contre vous, ni les vostres, ni les rebelles, despuis que me conseillates les faire retirer. Quant aux François, j'escrivis que l'on m'en fit nulle poursuite, car j'esperois tant en vous, que je n'en aurois besoign,—je ne sçeu si le dict aura en mes lettres, mais je vous jure devant Dieu que je ne scay chose du monde le leur venue, que ce que m'en aver manday, ni n'en ai ouï de France mot du monde, et ne le puis croire pour cest occasion, et si ils si sont, c'est sans mon sceu ni consentement. Pourquoy je vous supplie ne me condamner sans m'ouïre, car je suis pres de tenir tout ce que j'ay offert a Mester Knoleis, et vous assure que vostre amité, qu'il vous plect m'offrir, sera rescue avant toutes les choses du monde, quant France servit la pour presser leur retour a ceste condition, que preniez mes affaires en mein en soeur, et bonne ami, comme ma Francé est en vous; mais une chose senle me rende confuse, j'ay tant d'enemies qu'ont votre oreille, la quelle ne pouvant avoir par parole, toutes mes actions vous sont desguisées, et fausement raportees, par quoi il m'est impossible de m'assurer de vous, pour les manteries qu'on vous a fait, pour destruire vostre bonne volonté de moy; par quoy je desirerois bien avoir ce bien vous faire entendre ma sincere et bonne affection, laquelle je ne puis si bien descrire, que mes enemis a tort ne la decoloré. Ma bonne soeur, gagnes moy; envoyés moy querir, n'entrés en jalousie pour faulx raports de celle que ne desire que votre bonne grace; je me remettray sur Mester Knoleis, a qui je me suis librement decouverte, et apres vous avoir baisée les mains, je prierai Dieu vous donner en santé, longue et heureuse vie. De Boton, ou je vous promets, je n'espere pertir, qu'aveques vostre bonne grace, quoyque les menteurs mentent. Ce 26 d'Âoust.

But the strength of the adverse faction daily increased. He dreaded the interposition of the French king in its behalf. In his situation, and in a matter which Elizabeth had so much at heart, her commands were neither to be disputed nor disobeyed.<sup>h</sup>

Both the queen and he appoint commissioners. The necessity of repairing in person to York added to the ignominy of the step which he was obliged to take. All his associates declined the office; they

were unwilling to expose themselves to the odium and danger with which it was easy to foresee that the charge of it would be attended, unless he himself consented to share these in common with them.

The earl of Morton, Bothwell bishop of Orkney, Pitcairn commendator of Dunfermling, and lord Lindsay, were joined with him in commission. Macgill of Rankeilor, and Balnaves of Hallhill, two eminent civilians, George Buchanan, Murray's faithful adherent, a man whose genius did honour to the age, Maitland, and several others, were appointed to attend them as assistants. Maitland owed this distinction to the regent's fear, rather than to his affection. He had warmly remonstrated against this measure. He wished his country to continue in friendship with England, but not to become dependent on that nation. He was desirous of re-establishing the queen in some degree of power, not inconsistent with that which the king possessed; and the regent could not, with safety, leave behind him a man,

<sup>h</sup> Buch. 372.

*Queen Elizabeth to the Earl of Murray.*

Paper Office. From a copy corrected by Secretary Cecil. Right trusty and right well-beloved cousin, we greet you well. Where we hear say, that certain reports are made in sundry parts of Scotland, that whatsoever should fall out now upon the hearing of the Queen of Scots cause, in any proof to convince or to acquit the said Queen concerning the horrible murder of her late husband our cousin, we have determined to restore her to her kingdom and government, we do so much dislike hereof, as we cannot indure the same to receive any credit: and therefore we have thought good to assure you, that the same is untruly devised by the authors to our dishonour. For as we have been always certified from our said sister, both by her letters and messages, that she is by no means guilty or participant of that murder, which we wish to be true, so surely if she should be found justly to be guilty thereof as hath been reported of her, whereof we would be very sorry, then, indeed, it should behoove us to consider otherwise of her cause than to satisfy her desire in restitution of her to the government of that kingdom. And so we would have you and all others think, that should be disposed to conceive honourably of us and our actions.

Indorsed 20 Sept. 1568.

whose views were so contrary to his own, and who, by his superior abilities, had acquired an influence in the nation; equal to that which others derived from the antiquity and power of their families.<sup>i</sup>

Mary empowered Lesly bishop of Ross, lord Livingston, lord Boyd, lord Herries, Gavin Hamilton commendator of Kilwinning, Sir John Gordon of Lochinvar, and Sir James Cockburn of Stirling, to appear in her name.<sup>k</sup>

Elizabeth nominated Thomas Howard duke of Norfolk, Thomas Radcliff earl of Sussex, and Sir Ralph Sadler, her commissioners to hear both parties.

The 4th of October was the day fixed for opening the conference at York. The great abilities of the deputies on both sides, the dignity of the judges before whom they were to appear, the high rank of the persons whose cause was to be heard, and the importance of the points in dispute, rendered the whole transaction no less illustrious than it was singular. The situation in which Elizabeth appeared on this occasion, strikes us with an air of magnificence. Her rival, an independent queen, and the heir of an ancient race of monarchs, was a prisoner in her hands, and appeared, by her ambassadors, before her tribunal. The regent of Scotland, who represented the majesty, and possessed the authority of a king, stood in person at her bar. And the fate of a kingdom, whose power her ancestors had often dreaded, but could never subdue, was now at her disposal.

The views, however, with which the several parties consented to this conference, and the issue to which they expected to bring it, were extremely different.

Mary's chief object was the recovering of her former authority. This induced her to consent to a measure against which she had long struggled. Elizabeth's promises gave her ground for entertaining hopes of being restored to her kingdom; in order to which she would have willingly made many concessions to the king's party; and the influence of the English queen, as well as her own impatience

<sup>i</sup> Buch. 371. Anders. vol. iv. 35. Melv. 186. 188.

<sup>k</sup> Anders. vol. iv. 33.

under her present situation, might have led her to many more.<sup>1</sup> The regent aimed at nothing but securing Elizabeth's protection to his party, and seems not to have had the most distant thoughts of coming to any composition with Mary. Elizabeth's views were more various, and her schemes more intricate. She seemed to be full of concern for Mary's honour, and solicitous that she should wipe off the aspersions which blemished her character. This she pretended to be the intention of the conference; amusing Mary, and eluding the solicitations of the French and Spanish ambassadors in her behalf, by repeated promises of assisting her, as soon as she could venture to do so, without bringing disgrace upon herself. But under this veil of friendship and generosity, Elizabeth concealed sentiments of a different nature. She expected that the regent would accuse Mary of being accessory to the murder of her husband. She encouraged him, as far as decency would permit, to take this desperate step.<sup>m</sup> And as this accusation might terminate in two different ways, she had concerted measures for her future conduct suitable to each of these. If the charge against Mary should appear to be well-founded, she resolved to pronounce her unworthy of wearing a crown, and to declare that she would never burden her own conscience with the guilt of an action so detestable as the restoring her to her kingdom.<sup>n</sup> If it should happen, that what her accusers alleged did not amount to a proof of guilt, but only of mal-administration, she determined to set on foot a treaty for restoring her, but on such conditions as would render her hereafter dependant, not only upon England, but upon her own subjects.<sup>o</sup> As every step in the progress of the conference, as well as the final result of it, was in Elizabeth's own power, she would still be at liberty to choose which of these courses she should hold; or if there appeared to be any danger or inconvenience in pursuing either of them, she might protract the whole cause by endless delays, and involve it in inextricable perplexity.

<sup>1</sup> Anders. vol. iv. part ii. 33. Good. vol. ii. 337.

<sup>m</sup> Anders. vol. iv. part ii. 11. 45. Haynes, 487. <sup>n</sup> Anders. vol. iv. part ii. 11.

<sup>o</sup> Ibid. vol. iv. part ii. 16.

Complaint of the queen's commissioners against the regent. The conference, however, was opened with much solemnity. But the very first step discovered it to be Elizabeth's intention to inflame, rather than to extinguish, the dissensions and animosities among the Scots. No endeavours were used to reconcile the contending parties, or to mollify the fierceness of their hatred, by bringing the queen to offer pardon for what was past, or her subjects to promise more dutiful obedience for the future. On the contrary, Mary's commissioners were permitted to prefer a complaint against the regent and his party, containing an enumeration of their treasonable actions, of their seizing her person by force of arms, committing her to prison, compelling her to resign the crown, and making use of her son's name to colour their usurpation of the whole royal authority; and of all these enormities they required such speedy and effectual redress, as the injuries of one queen demanded from the justice of another.<sup>p</sup>

It was then expected that the regent would have disclosed all the circumstances of that unnatural crime to which he pretended the queen had been accessory, and would have produced evidence in support of this charge. But, far from accusing Mary, the regent did not even answer the complaints brought against himself. He discovered a reluctance at undertaking that office, and started many doubts and scruples, with regard to which he demanded to be resolved by Elizabeth herself.<sup>q</sup> His reserve and hesitation were no less surprising to the greater part of the English commissioners than to his own associates. They knew that he could not vindicate his own conduct without charging the murder upon the queen, and he had not hitherto shewn any extraordinary delicacy on that head. An intrigue, however, had been secretly carried on, since his arrival at York, which explains this mystery.

Intrigues of Norfolk with the regent. The duke of Norfolk was, at that time, the most powerful and most popular man in England. His wife was lately dead; and he began already to form

<sup>p</sup> Anders. vol. iv. part ii. 52.

<sup>q</sup> Haynes, 478.

a project, which he afterward more openly avowed, of mounting the throne of Scotland, by a marriage with the queen of Scots. He saw the infamy which would be the consequence of a public accusation against Mary, and how prejudicial it might be to her pretensions to the English succession. In order to save her from this cruel mortification, he applied to Maitland, and expressed his astonishment at seeing a man of so much reputation for wisdom, concurring with the regent in a measure so dishonourable to themselves, to their queen, and to their country; submitting the public transactions of the nation to the judgment of foreigners; and publishing the ignominy and exposing the faults of their sovereign, which they were bound, in good policy, as well as in duty, to conceal and to cover. It was easy for Maitland, whose sentiments were the same with the duke's, to vindicate his own conduct. He assured him that he had employed all his credit to dissuade his countrymen from this measure; and would still contribute, to the utmost of his power, to divert them from it. This encouraged Norfolk to communicate the matter to the regent. He repeated and enforced the same arguments which he had used with Maitland. He warned him of the danger to which he must expose himself by such a violent action as the public accusation of his sovereign. Mary would never forgive a man who had endeavoured to fix such a brand of infamy on her character. If she ever recovered any degree of power, his destruction would be inevitable, and he would justly merit it at her hands. Nor would Elizabeth screen him from this, by a public approbation of his conduct. For, whatever evidence of Mary's guilt he might produce, she was resolved to give no definitive sentence in the cause. Let him only demand that the matter should be brought to a decision immediately after hearing the proof, and he would be fully convinced how false and insidious her intentions were, and, by consequence, how improper it would be for him to appear as the accuser of his own sovereign.<sup>r</sup> The candour which Norfolk seemed to discover in these re-

<sup>r</sup> Melv. 187. Haynes, 573.



monstrances, as well as the truth which they contained, made a deep impression on the regent. He daily received the strongest assurance of Mary's willingness to be reconciled to him, if he abstained from accusing her of such an odious crime, together with the denunciations of her irreconcilable hatred, if he acted a contrary part.\* All these

\* Anders. vol. iv. part ii. 77. Good. vol. ii. 157.

*Sir Francis Knollys to Cecil, the 9th of October, 1568, from York.*

An Original.  
Paper  
Office.

My Lord's Grace of Norfolk sending for me to Bolton, to attend upon him here Thursday last, I made my repair hither accordingly, meaning to stay here until Munday next; as touching the matters of the commission, that his Grace and the rest have from her Highness, his Grace hath imparted unto me of all things thereunto appertaining, and what hath hitherto passed; and altho' the matters be too weighty for my weak capacity, to presume to utter any opinion of mine own thereof, yet I see that my Lord Hennis for his parte laboureth a reconciliation, to be had without the extremity of odious accusations; my Lord of Ledington also saith to me, that he could wish these matters to be ended in dulce manner, so that it might be done with safety; of the rest you can conceive, by the advertisements and writings, sent up by our commissioners.

*A Letter from the Bishop of Ross to the Queen of Scots, from York, October, 1568.*

Cott. Lib.  
Calig. C. 1.  
A Copy.

Pleis your Majesty I conferred at length with A. ane great part of a night, who assurit me that he had reasoned with B. this Saturday C. on the field, who determinate to him that it was the D. determinit purpose not to end your cause at this time, but to hold the same in suspence, and did that was in her power, to make the E. pursue extremity, to the effect F. and his adherents might utter all they could to your dishonour, to the effect to cause you come in disdain with the hail subjects of this realm, that ye may be the mair unable to attempt any thing to her disadvantage. And to this effect is all her intention, and when they have produced all they can against you, D. will not appoint the matter instantly, but transport you up in the country, and retain you there till she think time to shew you favour, which is not likely to be hastily, because of your uncles in France, and the fear she has of yourself to be her unfriend. And therefore their counsel is, that ye write an writing to the D. meaning that ye are informit that your subjects which has offendit you.—This in effect, that your Majesty hearing the estate of your affairs as they proceed in York, was informed that her Majesty was informed of you, that you could not gudely remit your subjects in such sort as they might credit you hereafter, which was a great cause of the stay of this controversy to be ended. And therefore persuading her D. effectually not to trust any who had made such narration. But like as ye had rendered you in her hands, as most tender to you of any living, so prayit her to take na opinion of you, but that ye wald use her counsell in all your affairs, and wald prefer her friendship to all others, as well uncles as others, and assure her to keep that thing ye wald promise to your subjects by her advice. And if D. discredit you, ye wald be glad to satisfy her in that point be removing within her realm in secret and quiet manner, where her G. pleased, until the time her G. were fully satisfied, and all occasion of discredit removed from her: so that in the mean time your realm were holden in quietness, and your true subjects restored and maintained in their own estate, and sic other things tending to this effect. And affirms that they believe that this may be occasion to cause her credit you that ye offer so far; and it may come that within two or three months she may become better minded to your Grace, for now she is not well-minded, and will not shew you any pleasure for the causes aforesaid.

N. B. The title of this paper is in Cecil's hand; the following key is added in another hand.

- A. The Laird of Lethington.
- B. The Duke of Norfolk.
- C. Was the day he rode to Cawood.
- D. The Queen of England.
- E. The Queen of Scots commissioners.
- F. The Earl of Murray.

considerations concurred in determining him to alter his purpose, and to make trial of the expedient which the duke had suggested.

Oct. 9. He demanded, therefore, to be informed, before he proceeded farther, whether the English commissioners were empowered to declare the queen guilty, by a judicial act; whether they would promise to pass sentence without delay; whether the queen should be kept under such restraint, as to prevent her from disturbing the government now established in Scotland; and whether Elizabeth, if she approved of the proceedings of the king's party, would engage to protect it for the future?<sup>t</sup> The paper containing these demands was signed by himself alone, without communicating it to any of his attendants, except Maitland and Melvil.<sup>u</sup> But, lest so many precautions should excite any suspicion of their proceedings, from some consciousness in the defect of the evidence which he had to produce against his sovereign, Murray empowered Lethington, Macgill, and Buchanan, to wait upon the duke of Norfolk, the earl of Sussex, and Sir Ralph Sadler, and to lay before them, not in their public characters as commissioners, but as private persons, Mary's letters to Bothwell, her sonnets, and all the other papers upon which was founded the charge of her being accessory to the murder of the king, and to declare that this confidential communication was made to them, with a view to learn whether the queen of England would consider the evidence as sufficient to establish the truth of the accusation. Nothing could be more natural than the regent's solicitude to know on what footing he stood. To have ventured on a step so uncommon and dangerous, as the accusing his sovereign, without previously ascertaining that he might take it with safety, would have been unpardonable imprudence. But Elizabeth, who did not expect that he would have moved any such difficulty, had not empowered her commissioners to give him that satisfaction which he demanded. It became

<sup>t</sup> Anders. vol. iv. part ii. 55. State Trials, i. 91. &c.

<sup>u</sup> Anders. vol. iv. part ii. 56. Melv. 190.

necessary to transmit the articles to herself, and by the light in which Norfolk placed them, it is easy to see that he wished that they should make no slight impression on Elizabeth and her ministers. "Think not the Scots," said he, "over-scrupulous or precise. Let us view their conduct as we would wish our own to be viewed in a like situation. The game they play is deep; their estates, their lives, their honour, is at stake. It is now in their own power to be reconciled to their queen, or to offend her irrecoverably; and, in a matter of so much importance, the utmost degree of caution is not excessive."<sup>x</sup>

While the English commissioners waited for fuller instructions with regard to the regent's demands, he gave in an answer to the complaint which had been offered in the name of the Scottish queen. It was expressed in terms perfectly conformable to the system which he had at that time adopted. It contained no insinuation of the queen's being accessory to the murder of her husband; the bitterness of style peculiar to the age was considerably abated; and though he pleaded, that the infamy of the marriage with Bothwell made it necessary to take arms in order to dissolve it; though Mary's attachment to a man so odious justified the keeping her for some time under restraint; yet nothing more was said on these subjects than was barely requisite in his own defence. The queen's commissioners did

not fail to reply.<sup>y</sup> But while the article with respect to the murder remained untouched, these were only skirmishes at a distance, of no consequence towards ending the contest, and were little regarded by Elizabeth or her commissioners.

The conference removed to Westminster. The conference had, hitherto, been conducted in a manner which disappointed Elizabeth's views, and produced none of those discoveries which she had expected. The distance between York and London, and the necessity of consulting her upon every difficulty which occurred, consumed much time. Norfolk's negotiation with the Scottish regent, however secretly

<sup>x</sup> Anders. vol. iv. 77.

<sup>y</sup> Id. vol. iv. part ii. 64. 80.

carried on, was not, in all probability, unknown to a princess so remarkable for her sagacity in penetrating the designs of her enemies, and seeing through their deepest schemes.<sup>a</sup> Instead, therefore, of returning any answer to the regent's demands, she resolved to remove the conference to Westminster, and to appoint new commissioners, in whom she could more absolutely confide. Both the queen of Scots and the regent were brought, without difficulty, to approve of this resolution.<sup>a</sup>

We often find Mary boasting of the superiority in argument obtained by her commissioners during the conference at York, and how, by the strength of their reasons, they confounded her adversaries, and silenced all their cavils.<sup>b</sup> The dispute stood, at that time, on a footing which rendered her victory not only apparent, but easy. Her participation of the guilt of the king's murder was the circumstance upon which her subjects must have rested, as a justification of their violent proceedings against her; and, while they industriously avoided mentioning that, her cause gained as much as that of her adversaries lost by suppressing this capital argument.

Elizabeth resolved that Mary should not enjoy the same advantage in the conference to be held at Westminster. She deliberated with the utmost anxiety how she might overcome the regent's scruples, and persuade him to accuse the queen. She considered of the most proper method for bringing Mary's commissioners to answer such an accusation; and as she foresaw that the promises with which it was necessary to allure the regent, and which it was impossible to conceal from the Scottish queen, would naturally exasperate her to a great degree, she determined to guard her more narrowly than ever; and, though lord Scrope had given her no reason to distrust his vigilance or fidelity, yet, because he was the duke of Norfolk's brother-in-law, she thought it proper to remove the queen as soon possible to Tuthbury in Staffordshire, and commit her to

<sup>a</sup> Good. vol. ii. 160. Anders. vol. iii. 24.      <sup>a</sup> Haynes, 484. Anders. vol. iv. 94.

<sup>b</sup> Good. vol. i. 186. 284. 350.

the keeping of the earl of Shrewsbury, to whom that castle belonged.<sup>c</sup>

Mary's suspicions of Elizabeth's intentions. Mary began to suspect the design of this second conference; and, notwithstanding the satisfaction she expressed at seeing her cause taken more im-

Oct. 21. mediately under the queen's own eye,<sup>d</sup> she framed her instructions to her commissioners in such a manner, as to avoid being brought under the necessity of answering the accusation of her subjects, if they should be so desperate as to exhibit one against her.<sup>e</sup> These suspicions were soon confirmed by a circumstance extremely mortifying. The regent having arrived at London, in order to be present at the conference, was immediately admitted into Elizabeth's presence, and received by her, not only with respect, but with affection. This Mary justly considered as an open declaration of that queen's partiality towards her ad-

Nov. 22. Claims a personal audience of Elizabeth. versaries. In the first emotions of her resentment, she wrote to her commissioners, and commanded them to complain, in the presence of the English nobles, and before the ambassadors of foreign princes, of the usage she had hitherto met with, and the additional injuries which she had reason to apprehend. Her rebellious subjects were allowed access to the queen, she was excluded from her presence; they enjoyed full liberty, she languished under a long imprisonment; they were encouraged to accuse her, in defending herself she laboured under every disadvantage. For these reasons she once more renewed her demand, of being admitted into the queen's presence; and if that were denied, she instructed them to declare, that she recalled the consent which she had given to the conference at Westminster, and protested, that whatever was done there, should be held to be null and invalid.<sup>f</sup>

This, perhaps, was the most prudent resolution Mary could have taken. The pretences on which she declined the conference were plausible, and the juncture for offering

<sup>c</sup> Haynes, 487.

<sup>d</sup> Anders. vol. iv. part ii. 95.

<sup>e</sup> Good. vol. ii. 349.

<sup>f</sup> Good. vol. ii. 184.

them well chosen. But either the queen's letter did not reach her commissioners in due time, or they suffered themselves to be deceived by Elizabeth's professions of regard for their mistress, and consented to the opening of the conference.<sup>g</sup>

Nov. 25. To the commissioners who had appeared in her name at York, Elizabeth now added Sir Nicholas Bacon, keeper of the great seal, the earls of Arundel and Leicester, lord Clinton, and Sir William Cecil.<sup>h</sup> The difficulties which obstructed the proceedings at York were quickly removed. A satisfying answer was given to the regent's demands; nor was he so much disposed to hesitate, and raise objections, as formerly. His negotiation with Norfolk had been discovered to Morton by some of Mary's attendants, and he had communicated it to Cecil.<sup>i</sup> His personal safety, as well as the continuance of his power, depended on Elizabeth. By favouring Mary, she might at any time ruin him, and by a question which she artfully started, concerning the person who had a right, by the law of Scotland, to govern the kingdom during a minority, she let him see, that even without restoring the queen, it was an easy matter for her to deprive him of the supreme direction of affairs.<sup>k</sup> These considerations, which were powerfully seconded by most of his attendants, at length determined the regent to produce his accusation against the queen.

The regent accuses the queen of being accessory to her husband's murder. He endeavoured to lessen the obloquy with which he was sensible this action would be attended, by protesting that it was with the utmost reluctance he undertook this disagreeable task; that his party had long suffered their conduct to be misconstrued, and had borne the worst imputations in silence, rather than expose the crimes of their sovereign to the eyes of strangers; but now that the insolence and importunity of the adverse faction forced them to publish, what they had hitherto, though with loss to themselves, endeavoured to

<sup>g</sup> Anders. vol. iii. 25.

<sup>h</sup> Id. vol. iv. part. ii. 99.

<sup>i</sup> Melv. 191.

<sup>k</sup> Haynes, 484.

conceal.<sup>1</sup> These pretexts are decent; and the considerations which he mentions had, during some time, a real influence upon the conduct of the party; but, since the meeting of parliament held in December, they had discovered so little delicacy and reserve with respect to the queen's actions, as renders it impossible to give credit to those studied professions. The regent and his associates were drawn, it is plain, partly by the necessity of their affairs, and partly by Elizabeth's artifices, into a situation where no liberty of choice was left to them; and they were obliged either to acknowledge themselves to be guilty of rebellion, or to charge Mary with having been accessary to the commission of murder.

The accusation itself was conceived in the strongest terms. Mary was charged, not only with having consented to the murder, but with being accessary to the contrivance and execution of it. Bothwell, it was pretended, had been screened from the pursuits of justice by her favour; and she had formed designs no less dangerous to the life of the young prince, than subversive of the liberties and constitution of the kingdom. If any of these crimes should be denied, an offer was made to produce the most ample and undoubted evidence in confirmation of the charge.<sup>m</sup>

Nov. 29. At the next meeting of the commissioners, the earl of Lennox appeared before them; and after bewailing the tragical and unnatural murder of his son, he implored Elizabeth's justice against the queen of Scots, whom he accused, upon oath, of being the author of that crime, and produced papers, which, as he pretended, would make good what he alleged. The entrance of a new actor on the stage so opportunely, and at a juncture so critical, can scarce be imputed to chance. This contrivance was manifestly Elizabeth's, in order to increase, by this additional accusation, the infamy of the Scottish queen.<sup>n</sup>

Her com- Mary's commissioners expressed the utmost surprise  
missioners and indignation at the regent's presumption in

<sup>1</sup> Anders. vol. iv. part ii. 115.

<sup>m</sup> Id. *ibid.* 119.

<sup>n</sup> Id. *Ibid.* 122.

refuse to  
answer.  
Dec. 4.

loading the queen with calumnies, which, as they affirmed, she had so little merited. But, instead of attempting to vindicate her honour, by a reply to the charge, they had recourse to an article in their instructions, which they had formerly neglected to mention in its proper place. They demanded an audience of Elizabeth; and having renewed their mistress's request of a personal interview, they protested, if that were denied her, against all the future proceedings of the commissioners.<sup>o</sup> A protestation of this nature, offered just at the critical time when such a bold accusation had been preferred against Mary, and when the proofs in support of it were ready to be examined, gave reason to suspect that she dreaded the event of that examination.

This suspicion received the strongest confirmation from another circumstance; Ross and Herries, before they were introduced to Elizabeth, in order to make this protestation, privately acquainted Leicester and Cecil, that as their mistress had, from the beginning, discovered an inclination towards bringing the differences between herself and her subjects to an amicable accommodation, so she was still desirous, notwithstanding the regent's audacious accusation, that they should be terminated in that manner.<sup>p</sup>

Such moderation seems hardly to be compatible with the strong resentment which calumniated innocence naturally feels; or with that eagerness to vindicate itself which it always discovers. In Mary's situation, an offer so ill-timed must be considered as a confession of the weakness of her cause. The known character of her commissioners exempts them from the imputation of folly, or the suspicion of treachery. Some secret conviction, that the conduct of their mistress could not bear so strict a scrutiny as must be made into it, if they should reply to the accusation preferred by Murray against her, seems to be the most probable motive of this imprudent proposal, by which they endeavoured to avoid it.

<sup>o</sup> Anders. vol. iv. part ii. 133. 158, &c.

<sup>p</sup> Id. Ibid. 134. Cabbala, 157.



Dec. 4. It appeared in this light to Elizabeth, and afforded her a pretence for rejecting it. She represented to Mary's commissioners, that in the present juncture, nothing could be so dishonourable to their mistress as an accommodation; and that the matter would seem to be huddled up in this manner, merely to suppress discoveries, and to hide her shame; nor was it possible that Mary could be admitted, with any decency, into her presence, while she lay under the infamy of such a public accusation.

Upon this repulse Mary's commissioners withdrew; and as they had declined answering, there seemed now to be no farther reason for the regent's producing the proofs in support of his charge. But without getting these into her hands, Elizabeth's schemes were incomplete; and her artifice for this purpose was as mean, but as successful, as any she had hitherto employed. She commanded her commissioners to testify her indignation and displeasure at the regent's presumption in forgetting so far the duty of a subject, as to accuse his sovereign of such atrocious crimes. He, in order to regain the good opinion of such a powerful protectress, offered to shew that his accusations were not malicious nor ill-grounded. Then were produced and submitted to the inspection of the English commissioners, the acts of the Scottish parliament in confirmation of the regent's authority, and of the queen's resignation; the confessions of the persons executed for the king's murder; and the fatal casket which contained the letters, sonnets, and contracts, that have been so often mentioned.

Elizabeth As soon as Elizabeth got these into her possession, treats she laid them before her privy-council, to which Marywith she joined on this occasion several noblemen of the greater rigour. Dec. 14. greatest eminence in her kingdom; in order that they might have an opportunity of considering the mode in which an inquiry of such public importance had been hitherto conducted, as well as the amount of the evidence now brought against a person who claimed a preferable right of succession to the English crown. In this respect-

able assembly all the proceedings in the conferences at York and Westminster were reviewed, and the evidence produced by the regent of Scotland against his sovereign was examined with attention. In particular, the letters and other papers said to be written by the queen of Scots, were carefully compared “for the manner of writing and orthography,” with a variety of letters which Elizabeth had received at different times from the Scottish queen; and as the result of a most accurate collation, the members of the privy-council, and noblemen conjoined with them, declared that no difference between these could be discovered.<sup>¶</sup> Elizabeth having established a fact so unfavourable to her rival, began to lay aside the expressions of friendship and respect which she had hitherto used in all her letters to the Scottish queen. She now wrote to her in such terms, as if the presumptions of her guilt had amounted almost to certainty; she blamed her for refusing to vindicate herself from an accusation which could not be left unanswered, without a manifest injury to her character; and plainly intimated, that unless that were done, no change would be made in her present situation.<sup>†</sup> She hoped that such a discovery of her sentiments would intimidate Mary, who was hardly recovered from the shock of the regent’s attack on her reputation, and force her to confirm her resignation of the crown, to ratify Murray’s authority as regent, and to consent that both herself and her son should reside in England, under English protection. This scheme Elizabeth had much at heart; she proposed it both to Mary and to her commissioners, and neglected no argument, nor artifice, that could possibly recommend it. Mary saw how fatal this would prove to her reputation, to her pretensions, and even to her personal safety. She rejected it without hesitation. “Death,” said she, “is less dreadful than such an ignominious step. Rather than give away, with my own hands, the crown which descended to me from my ancestors,

<sup>¶</sup> Anders. vol. iv. part ii. 170, &c.

<sup>†</sup> Id. Ibid. 179. 183. Good. vol. ii. 260.

I will part with life; but the last words I utter shall be those of a queen of Scotland."<sup>s</sup>

At the same time she seems to have been sensible how open her reputation lay to censure, while she suffered such a public accusation to remain unanswered; and though the conference was now dissolved, she empowered her com-

\* Haynes, 497. Good. vol. ii. 274. 301.

*Deliberation of Secretary Cecil's concerning Scotland, Dec. 21, 1568.*

Paper Office. The best way for England, but not the easiest, that the Queen of Scots might remain deprived of her crown, and the state continue as it is.

The second way for England profitable, and not so hard.—That the Queen of Scots might be induced, by some persuasions, to agree that her son might continue king, because he is crowned, and herself to remain also Queen; and that the government of the realm might be committed to such persons as the Queen of England should name, so as for the nomination of them it might be ordered, that a convenient number of persons of Scotland should be first named to the Queen of England, indifferently for the Queen of Scots and for her son, that is to say, the one half by the Queen of Scots, and the other by the Earle of Lennox, and Lady Lennox, parents to the child; and out of those, the Queen's Majesty of England to make choice for all the officers of the realm, that are, by the laws of Scotland, disposable by the King or Queen of the land.

That untill this may be done by the Queen's Majesty, the government remain in the hands of the Earle of Murray as it is, providing he shall not dispose of any offices or perpetuals to continue any longer but to these offered of the premises.

That a Parliament be summoned in Scotland by several commandments, both of the Queen of Scots and of the young King.

—That hostages be delivered unto England on the young King's behalf, to the number of twelve persons of the Earle of Murray's part, as the Queen of Scots shall name; and likewise on the Queen's behalf, to the like number as the Earle of Murray shall name; the same not to be any that have by inheritance or office cause to be in this Parliament; to remain from the beginning of the summons of that Parliament, untill three months after that Parliament; which hostages shall be pledges that the friends of either part shall keep the peace in all cases, till by this Parliament it be concluded, that the ordinance which the Queen of England shall devise for the government of the realm (being not to the hurt of the crown of Scotland, nor contrary to the laws of Scotland for any man's inheritance, as the same was before the Parliament at Edin<sup>r</sup>. the Decem<sup>r</sup>. 1567) shall be established to be kept and obeyed, under pain of high treason for the breakers thereof.

—That by the same Parliament also be established all executions and judgments given against any person for the death of the late King.

—That by the same Parliament, a remission be made universally from the Queen of Scots to any her contraries, and also from every one subject to another, saving that restitution be made of lands and houses, and all other things heritable, that have been by either side taken from them which were the owners thereof at the committing of the Queen of Scots to Lochleven.

That by the same Parliament it be declared who shall be successors to the crown next after the Q. of Scots and her issue; or else, that such right as the D. of Chatterault had, at the marriage of the Q. of Scots with the Lord Darnley, may be conserved and not prejudized.

That the Q. of Scots may have leave of the Queen's Majesty of England, twelve months after the said Parliament, and that she shall not depart out of England, without special licence of the Queen's Majesty.

That the young King shall be nourished and brought up in England, till he be years of age.

It is to be considered, that in this cause the composition between the Queen and her subjects may be made with certain articles, outwardly to be seen to the world for her honour, as though all the parts should come of her, and yet for the surety of contraries, that certain betwixt her and the Queen's Majesty are to be concluded.

<sup>s</sup> Good. ii. 285. <sup>u</sup> Ibid. 283. Cabbala, 157. <sup>a</sup> Good. ii. 815. 333.

missioners to present a reply to the allegations of her enemies, in which she denied in the strongest terms, the crimes imputed to her; and recriminated upon the regent and his party, by accusing them of having devised and executed the murder of the king.<sup>t</sup> The regent and his associates asserted their innocence with great warmth. Mary continued to insist on a personal interview, a condition which she knew would never be granted.<sup>u</sup> Elizabeth urged her to vindicate her own honour. But it is evident from the delays, the evasions, and subterfuges, to which both queens had recourse by turns, that Mary avoided, and Elizabeth did not desire to make any farther progress in the inquiry.

<sup>1569.</sup>  
<sup>Feb. 2.</sup> The regent was now impatient to return into Scotland, where his adversaries were endeavouring, in his absence, to raise some commotions. Before he set out, he was called into the privy-council to receive a final declaration of Elizabeth's sentiments. Cecil acquainted him, in her name, that on one hand, nothing had been objected to his conduct, which she could reckon detrimental to his honour, or inconsistent with his duty; nor had he, on the other hand, produced any thing against his sovereign, on which she could found an unfavourable opinion of her actions; and, for this reason, she resolved to leave all the affairs of Scotland precisely in the same situation in which she had found them at the beginning of the conference. The queen's commissioners were dismissed much in the same manner.<sup>x</sup>

After the attention of both nations had been fixed so earnestly on this conference upwards of four months, such a conclusion of the whole appears, at first sight, trifling and ridiculous. Nothing, however, could be more favourable to Elizabeth's future schemes. Notwithstanding her

seeming impartiality, she had no thoughts of continuing neuter; nor was she at any loss on whom to bestow her protection. Before the regent left London, she supplied him with a considerable sum of money, and engaged to support the king's authority to the

<sup>Dismisses  
the regent  
without  
either ap-  
proving or  
condemn-  
ing his  
conduct;</sup>

<sup>but secretly  
supports  
his party.</sup>

utmost of her power.<sup>y</sup> Mary, by her own conduct, fortified this resolution. Enraged at the repeated instances of Elizabeth's artifice and deceit, which she had discovered during the progress of the conference, and despairing of ever obtaining any succour from her, she endeavoured to rouse her own adherents in Scotland to arms by imputing such designs to Elizabeth and Murray, as could not fail to inspire every Scotchman with indignation. Murray, she pretended, had agreed to convey the prince her son into England; to surrender to Elizabeth the places of greatest strength in the kingdom; and to acknowledge the dependence of the Scottish upon the English nation. In return for this, Murray was to be declared the lawful heir of the crown of Scotland; and, at the same time, the question with regard to the English succession was to be decided in favour of the earl of Hartford, who had promised to marry one of Cecil's daughters. An account of these wild and chimerical projects was spread industriously among the Scots. Elizabeth, perceiving it was calculated of purpose to bring her government into disreputation, laboured to destroy its effects, by a counter-proclamation, and became more disgusted than ever with the Scottish queen.<sup>z</sup>

<sup>y</sup> Ibid. 313. Carte, iii. 478.

<sup>z</sup> Haynes, 500. 503.

*The Queen to Sir Francis Knolleys, 22d January, 1568-9.*

Paper  
Office.

We greet you well. We mean not, at this point, by any writing, to re-  
new that which it hath pleased God to make grievous to us and sorrowful  
to yow; but forbearing the same as unmeet at this point, having occasion  
to command yow in our service, and yow also whilst yow are to serve us, we require  
yow to consider of this that followeth with like consideration and diligence, as hitherto  
yow have accustomed in our servise. At the time of our last letters written to yow  
the fourteenth of this month for removing of the Queen of Scots, we had understand-  
ing out of Scotland of certain writings sent by her from thence into Scotland, amongst  
the which one is found to contain great and manifest untruths touching us and others  
also, as shall and may plainly appear unto yow by the copy of the same, which like-  
wise we send yow, and because at the same time we were advertised, that it should  
be shortly proclaimed in Scotland, though then it was not, we thought good first to  
remove the Queen, before we would disclose the same, and then expect the issue  
thereof; and now, this day, by letters from our cousin of Hunsdon we are ascertained  
that since that time the same matters contained in the writing, are published in diverse  
parts of Scotland, whereupon we have thought it very meet, for the discharge of our  
honor, and to confound the falsehood contained in that writing, not only to have the  
same reprov'd by open proclamation upon our frontiers, the copy whereof we do  
herewith send yow, but also in convenient sort to charge that Queen therewith, so as  
she may be moved to declare the authors thereof, and persuaders of her to write in  
such slanderous sort such untruths of us; and in the mean season, we have here stayed  
our commissioners, knowing no other whom we may more probably presume to be par-  
ties hereunto than they, untill the Queen shall name some other, and acquit them;  
who being generally charged, without expressing to them any particularity, do use

Efforts of  
Mary's  
adherents  
against  
him.

The regent, on his return, found the kingdom in the utmost tranquillity. But the rage of the queen's adherents, which had been suspended in expectation that the conference in England would terminate to her advantage, was now ready to break out with all the violence of civil war. They were encouraged too by the appearance of a leader, whose high quality and pretensions entitled him to great authority in the nation. This was the duke of Chatelherault, who had resided for some years in France, and was now sent over by that court with a small supply of money, in hopes that the presence of the first nobleman in the kingdom would strengthen the queen's party. Elizabeth had detained him in England

all manner of speeches to discharge themselves; wherefore our pleasure is, that ye shall, after ye have well perused the copy of this writing sent to yow, speedily declare unto her, that we have good understanding given us of diverse letters and writings sent by her into Scotland, signed by her own hand, amongst which one such writting is sent with her commandment, expressly as now it is already published, as we are much troubled in mind that a Princess as she is, having a cause in our hands so implicated with difficultys and calamitys, should either conceive in her own mind, or allow of them that should devise such false, untrue, and improbable matters against us and our honor, and specially to have the aventure to have the same, being known so untrue, to be published: and you shall also say because we will not think so ill of her as that it should proceed of herself, but rather she hath been counselled thereunto, or by abuse made to think some part thereof to be true, we require her, even as she may look for any favour at our hands, that she will disburden herself as much as truly she may herein, and name them which have been the authors and perswaders thereof, and so she shall make as great amends to us as the case may require. After you have thus far proceeded, and had some answer of her whether she shall deny the writing absolutely, or name any that have been the advisers thereof, you shall say unto her that we have stayed her commissioners here, untill we may have some answer hereof, because we cannot but impute to them some part of this evil dealing, untill by her answer the authors may be known. And as soon as you can have direct answers from her, we pray you to return us the same; for as the case standeth, we cannot but be much disquieted with it, having our honour so deeply touched contrary to any intention in us, and for any thing we know in our judgment the Earl of Murray and others named in the same writting, void of thought for the matters, to them therein imputed; you may impart to the Queen of Scots either the contents of the slanderous letter, or shew her the copy to read it, and you may also impart this matter to the Lord Scroop to join with you there as you shall think meet.

*Sir Francis Knolleys to Queen Elizabeth, from Wetherby, the 28th January, 1568.*

—I will suppress my own griefs, and pass them over with silence, for the present learning of your Majesty—and for this Queen's answer to the  
An original Paper Office. coppie of her supposed letter, sent unto Scotland, I must add this unto my brother's letter, sent unto Mr. Secretary yesternight late; in process of time she did not deny but that the first lines contained in the same copie was agreeable to a letter that she had sent unto Scotland, which touched my lord of Murray's promise to deliver her son into your Majesty's hands, and to avoid that the same should not be done without her consent, made her, she saith, to write in that behalf; she saith also that she wrote that they should cause a proclamation to be made to stir her people to defend my Lord of Murray's intent and purpose, for delivering of her said son, and impunge his rebellious government, as she termed it, but she utterly denyeth to have written any of the other slanderous parts of the said letter touching your Majesty; she said also, that she suspected that a Frenchman, now in Scotland, might be author of some Scotch letters devised in her name, but she would not allow me to write this for any part of her answer.

for some months, under various pretences, but was obliged at last to suffer him to proceed on his journey. Before his departure, Mary invested him with the high dignity of her lieutenant-general in Scotland, together with the fantastic title of her adopted father.

Feb. 25. The regent did not give him time to form his party  
His vigorous conduct breaks her party. into any regular body. He assembled an army with his usual expedition, and marched to Glasgow.

The followers of Argyll and Huntly, who composed the chief part of the queen's faction, being seated in corners of the kingdom very distant from each other, and many of the duke's dependants having been killed or taken in the battle of Langside, the spirit and strength of his adherents were totally broken, and an accommodation with the regent was the only thing which could prevent the ruin of his estate and vassals. This was effected without difficulty, and on no unreasonable terms. The duke promised to acknowledge the authority both of the king and of the regent; and to claim no jurisdiction in consequence of the commission which he had received from the queen. The regent bound himself to repeal the act which had passed for attainting several of the queen's adherents; to restore all who would submit to the king's government to the possession of their estates and honours; and to hold a convention, wherein all the differences between the two parties should be settled by mutual consent. The duke gave hostages for his faithful performance of the treaty; and, in token of their sincerity, he and lord Herries accompanied the regent to Stirling, and visited the young king. The regent set at liberty the prisoners taken at Langside.<sup>a</sup>

Argyll and Huntly refused to be included in this treaty. A secret negotiation was carrying on in England in favour of the captive queen, with so much success, that her affairs began to wear a better aspect, and her return into her own kingdom seemed to be an event not very distant. The French king had lately obtained such advantages over the Hugonots, that the extinction of that party appeared to be

<sup>a</sup> Cabbala, 161. Crawf. Mem. 106.

inevitable, and France, by recovering domestic tranquillity, would be no longer prevented from protecting her friends in Britain. These circumstances not only influenced Argyll and Huntly, but made so deep an impression on the duke, that he appeared to be wavering and irresolute, and plainly discovered that he wished to evade the accomplishment of the treaty. The regent saw the danger of allowing the duke to shake himself loose, in this manner, from his engagements; and instantly formed a resolution equally bold and politic. He commanded his guards to seize Chatelherault in his own house in Edinburgh, whither he had come in order to attend the convention agreed upon; and, regardless either of his dignity as the first nobleman in the kingdom and next heir to the crown, or of the promises of personal security, on which he had relied, committed him and lord Herries prisoners to the castle of Edinburgh.<sup>b</sup> A blow so fatal and unexpected dispirited the party. Argyll submitted to the king's government, and made his peace with the regent on very easy terms; and Huntly, being left alone, was at last obliged to lay down his arms.

April 16. Soon after, lord Boyd returned into Scotland, and  
 July 21. brought letters to the regent, both from the English  
 A proposal in favour of Mary rejected. and Scottish queens. A convention was held at Perth, in order to consider them. Elizabeth's letter contained three different proposals with regard to Mary: that she should either be restored to the full possession of her former authority; or be admitted to reign jointly with the king her son; or at least be allowed to reside in Scotland in some decent retirement, without any share in the administration of government. These overtures were extorted by the importunity of Fenelon the French ambassador, and have some appearance of being favourable to the captive queen. They were, however, perfectly suitable to Elizabeth's general system with regard to Scottish affairs. Among propositions so unequal and disproportionate, she easily saw where the choice would fall. The two

<sup>b</sup> Crawf. Mem. 111. Melv. 202.



former were rejected; and long delays must necessarily have intervened, and many difficulties have arisen, before every circumstance relative to the last could be finally adjusted.<sup>c</sup>

Mary, in her letter, demanded that her marriage with Bothwell should be reviewed by the proper judges, and if found invalid, should be dissolved by a legal sentence of divorce. This fatal marriage was the principal source of all the calamities she had endured for two years; a divorce was the only thing which could repair the injuries her reputation had suffered by that step. It was her interest to have proposed it early; and it is not easy to account for her long silence with respect to this point. Her particular motive for proposing it at this time began to be so well known, that the demand was rejected by the convention of estates.<sup>d</sup> They imputed it not so much to any abhorrence of Bothwell, as to her eagerness to conclude a marriage with the duke of Norfolk.

Norfolk's  
scheme for  
marrying  
the queen  
of Scots.

This marriage was the object of that secret negotiation in England, which I have already mentioned. The fertile and projecting genius of Maitland first conceived this scheme. During the conference at York, he communicated it to the duke himself, and to the bishop of Ross. The former readily closed with a scheme so flattering to his ambition. The latter considered it as a probable device for restoring his mistress to liberty, and replacing her on her throne. Nor was Mary, with whom Norfolk held a correspondence by means of his sister lady Scrope, averse from a measure, which would have restored her to her kingdom with so much splendour.<sup>e</sup> The sudden removal of the conference from York to Westminster suspended, but did not break off this intrigue. Maitland and Ross were still the duke's prompters, and his agents; and many letters and love-tokens were exchanged between him and the queen of Scots.

<sup>c</sup> Spotswood, 230.

<sup>d</sup> Spotsw. 231. In a privy-council, held July 30, 1569, this demand was considered; and of fifty-one members present, only seven voted to comply with the queen's request. Records Priv. Council. MS. in the Lyon Office, p. 148.

<sup>e</sup> Camd. 419. Haynes, 573. State Trials, i. 73.

Conceals  
it from  
Elizabeth.

But as he could not hope, that under an administration so vigilant as Elizabeth's, such an intrigue could be kept long concealed, he attempted to deceive her by the appearance of openness and candour, an artifice which seldom fails of success. He mentioned to her the rumour that was spread of his marriage with the Scottish queen; he complained of it as a groundless calumny; and disclaimed all thoughts of that kind, with many expressions full of contempt both for Mary's character and dominions. Jealous as Elizabeth was of every thing relative to the queen of Scots, she seems to have credited these professions.<sup>f</sup> But, instead of discontinuing the negotiation, he renewed it with great vigour, and admitted into it new associates. Among these was the regent of Scotland. He had given great offence to Norfolk, by his public accusation of the queen, in breach of the concert into which he had entered at York. He was then ready to return into Scotland. The influence of the duke in the north of England was great. The earls of Northumberland and Westmoreland, the most powerful noblemen in that part of the kingdom, threatened to revenge upon the regent the injuries which he had done his sovereign. Murray, in order to secure a safe return into Scotland, addressed himself to Norfolk, and, after some apology for his past conduct, he insinuated that the duke's scheme of marrying the queen his sister was no less acceptable to him than beneficial to both kingdoms; and that he would concur with the utmost ardour in promoting so desirable an event.<sup>g</sup> Norfolk heard him with the credulity natural to those who are passionately bent upon any design. He wrote to the two earls to desist from any hostile attempt against Murray, and to that he owed his passage through the northern counties without disturbance.

Gains the  
consent  
of the  
English  
nobles.

Encouraged by his success in gaining the regent, he next attempted to draw the English nobles to approve his design. The nation began to despair of Elizabeth's marrying. Her jealousy kept the

<sup>f</sup> Haynes, 574. State Trials, i. 79, 80.

<sup>g</sup> Anders. iii. 34.

question with regard to the right of succession undecided. The memory of the civil wars which had desolated England for more than a century, on account of the disputed titles of the houses of York and Lancaster, was still recent. Almost all the ancient nobility had perished, and the nation itself had been brought to the brink of destruction in that unhappy contest. The Scottish queen, though her right of succession was generally held to be undoubted, might meet with formidable competitors. She might marry a foreign and a popish prince, and bring both liberty and religion into danger. But, by marrying her to an Englishman, a zealous Protestant, the most powerful and most universally beloved of all the nobility, an effectual remedy seemed to be provided against all these evils. The greater part of the peers, either directly or tacitly, approved of it, as a salutary project. The earls of Arundel, Pembroke, Leicester, and lord Lumley, subscribed a letter to the Scottish queen, written with Leicester's hand, in which they warmly recommended the match, but insisted, by way of preliminary, on Mary's promise, that she should attempt nothing in consequence of her pretensions to the English crown, prejudicial to Elizabeth, or to her posterity; that she should consent to a league, offensive and defensive, between the two kingdoms; that she should confirm the present establishment of religion in Scotland; and receive into favour such of her subjects as had appeared in arms against her. Upon her agreeing to the marriage and ratifying these articles, they engaged that the English nobles would not only concur in restoring her immediately to her own throne, but in securing to her that of England in reversion. Mary readily consented to all these proposals, except the second, with regard to which she demanded some time for consulting her ancient ally the French king.<sup>h</sup>

The whole of this negotiation was industriously concealed from Elizabeth. Her jealousy of the Scottish queen was well known, nor could it be expected that she would willingly come into a measure which tended so visibly to

<sup>h</sup> Anders. vol. iii. 51. Camd. 420.

save the reputation, and to increase the power of her rival. But, in a matter of so much consequence to the nation, the taking a few steps without her knowledge could hardly be reckoned criminal; and while every person concerned, even Mary and Norfolk themselves, declared, that nothing should be concluded without obtaining her consent, the duty and allegiance of subjects seemed to be fully preserved. The greater part of the nobles regarded the matter in this light. Those who conducted the intrigue, had farther and more dangerous views. They saw the advantages which Mary would obtain by this treaty, to be present and certain; and the execution of the promises which she came under, to be distant and uncertain. They had early communicated their scheme to the kings of France and Spain, and obtained their approbation.<sup>1</sup> A treaty concerning which they consulted foreign princes, while they concealed it from their own sovereign, could not be deemed innocent. They hoped, however, that the union of such a number of the chief persons in the kingdom would render it necessary for Elizabeth to comply; they flattered themselves that a combination so strong would be altogether irresistible; and such was their confidence of success, that when a plan was concerted in the north of England for rescuing Mary out of the hands of her keepers, Norfolk, who was afraid that if she recovered her liberty, her sentiments in his favour might change, used all his interest to dissuade the conspirators from attempting it.

In this situation did the affair remain, when lord Boyd arrived from England; and, besides the letters which he produced publicly, brought others in ciphers from Norfolk and Throkmorton, to the regent, and to Maitland. These were full of the most sanguine hopes. All the nobles of England concurred, said they, in favouring the design. Every preliminary was adjusted; nor was it possible that a scheme so deep laid, conducted with so much art, and supported both by power and by numbers, could miscarry, or be defeated in the execution. Nothing now was want-

<sup>1</sup> Anders, vol. iii. 63.

<sup>k</sup> Camd. 120.

ing but the concluding ceremony. . It depended on the regent to hasten that, by procuring a sentence of divorce, which would remove the only obstacle that stood in the way. This was expected of him, in consequence of his promise to Norfolk; and if he regarded either his interest or his fame, or even his safety, he would not fail to fulfil these engagements.<sup>1</sup>

<sup>1</sup>Haynes, 520. Spotsw. 230.

*Sir Nicholas Throckmorton to the Right Honourable the Lord of Liddington.*

20th of  
July,  
1569.  
From the  
original.

Your letter of the 3d of July, I have received the 15th of the same. For answer whereunto you shall understand that friends here to my Lord Regent and you do wish such a concurrence in all doings, as in matter, and circumstances there arise no dissension, or at the least, no more nor other than the difference of countries doth necessarily require. We here do think convenient that as few delays be used as may be, for the consummation of the matter in hand, which principally to advance your allowance, prosecution, and speedy promotion in Scotland, is most requisite, for you are so wise, and well acquainted with the state of the world, and with all our humours, as you know that some do allow and disallow for reason, some for respect of multitude, some for respect of persons, and so the cause is to go forward as men do like to set it forward. You are not to seek that some will use cautions, some neutrality, some delays, and some will plainly impunge it. And yet all and every of these sorts will alter their doings, when they shall see the Regent and his favourers accord with the best and greatest part there, and agree with the wisest and strongest part here. Tho' the matter has taken its beginning here, upon deep and weighty considerations, for the weill of both the Princes and their realms, as well presently as in time to come, yet it is thought most expedient that the Regent, and realm of Scotland, by you, should propose the matter to the Queen our sovereign, if you like to use convenience, good order, or be disposed to leave but a scar, and no wound of the hurts past. I would be glad that this my letter should come to your hands before the convention, whereat it seems your Queen's restoration and marriage to the Duke of Norfolk shall be propounded, either to wyne in them both allowance or rejection. To which proceedings, because you pray me to write frankly, I say and reason thus, Methinketh you use a preposterous order to demand the consent of such persons, in such matters, as their minds to a good end hath rather been felt or prepared, and therefore there must needs follow either a universal refusal, or factions division amongst you, whereby a blustering intelligence must needs come to queen Elizabeth of the intended marriage from thence, which ought to have been secretly and advisedly propounded unto her Highness; hereby you see then the meaning is, by this dealing, her Majesty shall be made inexorable, and so bring the matter to such passe, as this which should have wrought surety, quietness, and a stay to both Queens and their realms, shall augment your calamity, and throw us your best friends into divorce with you, and into unhappy division amongst ourselves; for you may not conjecture that the matter is now in deliberation, but expecteth good occasion for executing. Sure I am you do not judge so slenderly of the managing of this matter, as to think we have not cast the worst, or to enter therein so far without the assistance of the nobility, the ablest, the wisest, and the mightiest of this realm, except Queen Elizabeth, from whom it hath been concealed until you, as the fittest minister, might propound it to her, on the behalf of the Regent, and the nobility of Scotland. How far Master Woddes defamations do carry them of Queen Elizabeth's affections, and Master Secretary's, to assist the Regent and to suppress the Queen of Scots, I know not, nor it is not material; but I do assuredly think, that her Majesty will prefer her surety, the tranquillity of her reign, and the conversation of her people, before any device, which may proceed from vain discourse, or imperfections of passions and inconsiderate affections. And as for Mr. Secretary, you are not to learn that as he liketh not to go too fast afore, so he coveteth not to tarry too far behind, and specially when the reliques be of no great value or power. If I could as well assure you of his magnanimity, and constancy, as of his present conformity, I would say confidently, you may repose as well of him in this matter, as of the Duke of Norfolk, the Earls of Arundel, Pembroke, Leicester, Bedford, Shrewsbury, and the rest of the no-

But the regent was now in very different circumstances from those which had formerly induced him to affect an approbation of Norfolk's schemes. He saw that the downfall of his own power must be the first consequence of the duke's success; and if the queen, who considered him as the chief author of all her misfortunes, should recover her ancient authority, he could never expect favour, nor scarce hope for impunity. No wonder he declined a step so fatal to himself, and which would have established the grandeur of another on the ruins of his own. This refusal occasioned a delay. But, as every other circumstance was settled, the bishop of Ross, in the name of his mistress, and the duke, in person, declared, in presence of the French ambassador, their mutual consent to the marriage, and a contract to this purpose was signed, and intrusted to the keeping of the ambassador.<sup>m</sup>

Aug. 13.  
Elizabeth  
discovers  
the duke's  
design,  
and de-  
feats it.

The intrigue was now in so many hands, that it could not long remain a secret. It began to be whispered at court; and Elizabeth calling the duke into her presence, expressed the utmost indignation at his conduct, and charged him to lay aside all thoughts of prosecuting such a dangerous design. Soon after Leicester, who perhaps had countenanced the project with no other intention, revealed all the circumstances of it to the queen. Pembroke, Arundel, Lumley, and Throckmorton, were confined and examined. Mary was watched more narrowly than ever; and Hastings, earl of Huntingdon, who pretended to dispute with the Scottish queen her right to the succession, being joined in commission with Shrewsbury, rendered her imprisonment more intolerable by the excess of his vigilance and rigour.<sup>n</sup> The Scottish regent, threatened with

bility; all which do embrace and protest the accomplishment of this case. I have, according to your advice, written presently to my Lord Regent, with the same zeal and care of his well-doing that I owe him whom I love and honour. Mr. Secretary hath assured unto him the Queen of Scotland's favour and good opinion, wherewith he seemeth to be well satisfy'd. If your credit be as I trust, hasten your coming hither, for it's very necessary that you were here presently. Q. Elizabeth both doth write to my Lord Regent in such sort, as he may perceive Mr. Wood's discourses of her Majesty's affection to be vain, and Mr. Secretary otherwise bent than he conjectureth of him, the effect of which her Majesty's letter you shall understand, by my Lord Leicester's letter unto you at this dispatch. At the court, 20th July, 1569.

<sup>m</sup> Carte, vol.iii. 486.

<sup>n</sup> Haynes, 525, 526. 530. 532.

Elizabeth's displeasure, meanly betrayed the duke; put his letters into her hands, and furnished all the intelligence in his power.<sup>o</sup> The duke himself retired first to Howard-

<sup>o</sup> *Part of a Letter from the Earl of Murray to L. B. probably Lord Burleigh.*

1569. — Because I see that great advantage is taken on small occasions, and  
 Harl. Lib. that the mention of the marriage between the queen my sovereign's mo-  
 37. B. 9. ther, and the D. of Norfolk, hath this while past been very frequent in  
 fo. 43. both the realms, and then I myself to be spoken of as a motioner, which  
 I perceive is at the last come to her Majesty's ears; I will, for satisfaction  
 of her Highness, and the discharge of my duty towards her Majesty, manifest unto you  
 my interest, in meddling in that matter, from the very beginning, knowing whatsoever  
 is prejudicial to her Highness cannot but be hurtful to the King my sovereign, this his  
 realm, and me. What conferences was betwixt the Duke of Norfolk, and any of them  
 that were with me within the realm of England, I am not able to declare; but I am no  
 wise forgetful of any thing that passed between him and me, either at that time, or since.  
 And to the end her Majesty may understand how I have been dealt with in this mat-  
 ter, I am compelled to touch some circumstances, before there was any mention of  
 her marriage. In York, at the meeting of all the commissioners, I found very —  
 and neutral dealing with the Duke, and others her Highness's commissiouners, in the  
 beginning of the cause, as in the making of the others to proceed sincerely, and so  
 forth. During which time, I entered into general speech, sticking at our just defence in  
 the matters that were objected against us by the said Queen's commissioners, looking  
 certainly for no other thing, but summary cognition in the cause of controversy, with a  
 final declaration to have followed. Upon a certain day the Lord Lithington, secretary,  
 rode with the Duke to Howard. What purpose they had I cannot say, but that night Li-  
 thington returning and entring in conference with me upon the state of our action, I  
 was advised by him to pass to the Duke, and require familiar conference, by the  
 which I might have some feeling to what issue our matters would tend. According to  
 which advice, having gotten time and place convenient in the gallery of the house where  
 the Duke was lodged, after renewing of our first acquaintance made at Berwick, the  
 time before the assize of Leith, and some speeches passed betwixt us, he began to say  
 to me, how he in England had favour and credit, and I in Scotland had will and friend-  
 ship of many, it was to be tho't there could be none more fit instruments to travel for  
 the continuance of the amity betwixt the realms, than we two. And so that discourse  
 upon the present state of both, and how I was entered in that action tending so far to  
 the Queen's dishonour, I was willed by him to consider how matters stood in this,  
 what honour I had received of the Queen, and what inconveniences her defamation  
 in the matters laid to her charge might breed to her posterity. Her respect was not  
 a little to the crown of England, there was but one heir. The Hamiltons, my un-  
 friends, had the next respect; and that I should esteem the issue of her body would  
 be the more affectionate to me and mine, than any other that could attain to that  
 crown. And so it should be meetest, that she affirmed her dismissal made in Loch-  
 levin, and we to abstract the letters of her hand-write, that she should not be defamed  
 in England. My reply to that was, how the matter had passed in Parliament, and the  
 letters seen of many, so that the abstracting of the same could not then secure her to  
 any purpose, and yet should we, in that doing, bring the ignominy upon us; affirming  
 it would not be fair for us that way to proceed, seeing the Queen's Majesty of England  
 was not made privy to the matter as she ought to be, in respect we were purposely  
 come in England for that end, and for the — of the grants of our cause. The Duke's  
 answer was, he would take in hand to handle matters well enough at the court. After  
 this, on the occasion of certain articles, that were required to be resolved on before  
 we entered on the declaration of the very ground of our action, we came up to the  
 court; where some new commissioners were adjoined to the former, and the hearing  
 of the matter ordained to be in the parliament-house at Westminster, in presence of  
 which commissioners of the said Queen, and — through the — rebuking of the  
 Queen of England's own commissioners, we uttered the whole of the action, and pro-  
 duced such evidences, letters, and probations, as we had, which might move the  
 Queen's Majesty to think well of our cause. Whereupon expecting her Highness' de-  
 claration, and seeing no great likelihood of the same to be suddenly given, but daily  
 motions then made to come to an accord with the said Queen, our matters in hand in  
 Scotland, in the mean season, standing in hazard and danger, we were put to the ut-  
 termost point off our wit, to imagine whereunto the matters would tend, tho' albeit

house, and then, in contempt of the summons to appear before the privy-council, fled to his seat in Norfolk. Intimi-

we had left nothing undone for justification of our causes, yet appeared no end, but continual motions made to come to some accord with the Queen, and restore her to whole or half reign. I had no other answer to give them, but that I should neither do against conscience or honour in that matter. Notwithstanding, seeing this my plain answer wrought no end nor dispatch to us, and that I was informed that the Duke began

Probably *adulterer.* to mislike of me, and to speak of me, as that I had reported of the said Queen irreverently, calling her — and murderer, I was advised to pass to him, and give him good words, and to purge myself of the things objected

to me, that I should not open the sudden entry of his evil grace, nor have him to our enemy — considering his greatness. It being therewithal whispered and shewed to me, that if I departed, he standing discontented and not satisfied, I might peradventure find such trouble in my way, as my throat might be cut before I came to Berrick. And therefore, since it might well enough appear to her marriage, I should not put him in utter despair, that my good will could not be had therein. So few days before my departing, I came to the park in Hampton-court, where the Duke and I met together, and there I declared unto him that it was come to my ears, how some misreport should be made of me to him, as that I should speak irreverently and rashly of

Probably *suspect.* the said Queen my sovereign's mother, such words as before expressed, that he might — thereby my affection to be so alienate from her. as that I could not love her, nor be content of her preferment, howbeit he might

persuade himself of the contrary; for as she once was the person in the world that I loved best, having that honour to be so near unto her, and having received such advancement and honour by her, I was not so ungrate or so unnatural ever to wish her body harm, or to speak of her as was untrue reported of me (howsoever the truth was in the self), and as to the preservation of her son, now my sovereign, had moved

Probably *dishonour* me to enter into this cause, and that her own pressing was the occasion of that was uttered to her — whensoever God should move her heart to repent of her by past behaviour and life, and after her known repentance that

she should be separate from that ungodly and unlawful marriage that she was entred in, and then after were joined with such a godly and honourable a personage as were affectioned to the true religion, and whom we might trust, I could find in my heart to love her, and to shew her as great pleasure, favour, and good will, as ever I did in my life; and in case he should be that personage, there was none whom I could better like of, the Queen — in — of England being made privy to the matter, and she allowing thereof, which being done, I should labour in all things that I could to her honour and pleasure, that were not prejudicial to the King my sovereign's estate, and prayed him not to think otherwise of me, for my affection was rather buried and hidden within me, awaiting until God should direct her to know herself, than utterly alienated and abstracted from her; which he seemed to accept in very good part, saying, Earl of Murray, thou thinks of me that thing, whereunto I will make none in England or Scotland privy, and thou hast Norfolk's life in thy hands. So departing, I came to my lodging, and by the way and all night, I was in continual thought and agitation of mind, how to behave myself in that weighty matter, first imagining whereunto this should tend, if it were attempted without the Queen's Majesty of England's knowledge and good will, this realm, and I myself in particular, having received such favour and comfort at her Highness's hands, and this whole isle such peace and quietness since God possessed her Majesty with her crown. And on the other part, seeing the Duke had disclosed him to me, protesting, none other were or should be privy to our speech, I tho't I could not find in my heart to utter anything that might endanger him; moved to the uttermost with these cogitations, and all desire of sleep then removed, I prayed God to send me some good relief and outgate, to my discharge and satisfaction of my troubled mind, which I found indeed; for upon the morn, or within a day or two thereafter, I entered into conversation with my Lord of Leicester, in his chamber at the court, where he began to find strange with me, that in the matter I made so difficult to him, standing so precisely on conference, and how when I had in my communication with the Duke, come so far — and there he made some discourse

Probably *disclosed.* with me, about that which was talke betwixt us, I perceiving that the Duke had — the matter to my Lord of Leicester, and thinking me thereby discharged at the Duke's hands, therefore I repeated the same communication in every point to my Lord of Leicester, who desired me to shew the same to the Queen's Majesty, which I refused to do, willing him if he tho't it might import her Highness any thing, that he has one — by her Majesty, and for many benefits received at her High-



dated by the imprisonment of his associates; coldly received by his friends in that county; unprepared for a rebellion; and unwilling perhaps to rebel; he hesitated for

some days, and at last obeyed a second call, and  
Oct. 3.

repaired to Windsor. He was first kept as a prisoner in a private house, and then sent to the Tower. After being confined there upwards of nine months, he was released upon his humble submission to Elizabeth, giving her a promise, on his allegiance, to hold no farther correspondence with the queen of Scots.<sup>p</sup> During the progress of Norfolk's negotiations, the queen's partisans in Scotland, who made no doubt of their issuing in

ness's hands, is obliged to wish her well, should make declaration of the same to her Majesty, as I understand by some speech of her Highness to me, he did. This my declaration to the Duke was the only cause that staid the violence and trouble prepared for me unexecuted, as I have divers ways understood. The same declaration I was obliged to renew since in writings of ——— sent to my servant John Wood. The sum whereof, I trust, he shewed the Duke, and something also I wrote to himself for it was tho't this should redeem some time, that the Duke should not suddenly declare him our enemy, for his greatness was oft laid before me, and what friendship he had of the chief nobility in England, so that it might appear to the Queen's Majesty of England —so cold towards us, and doing nothing publicly that might seem favourable for us, we had some cause to suspect that her Highness should not be contrarious to the marriage when it should be proposed to her. The sharp message sent by her Majesty with the Lord Boyd, who had the like commission from the Duke tending so far to the said Queen's preferment, as it were proposing one manner of conditions from both, gave us to think that her Highness had been foreseen in the Duke's design, and that she might be induced to allow thereof. But howbeit it was devised in England, that the Lord of Lethington should come as from me, and break the matter to her Highness, as her Majesty in a letter declared that she looked for his coming, yet that devise proceeded never of me, nor the noblemen at the convention could no wise accord to his sending, nor allow of the matter motioned, but altogether disliked it, as bringing with it the same great inconveniences to the surety and quietness of this whole isle; for our proceedings have declared our misliking and disallowance of the purpose from the beginning, and if we had pleased he was ready for the journey. And

Probably in likewise it was devised to give consent that the ——— between the said Queen and Bothwell, should be suffered to proceed in this realm, as divorce.

it was desired by the said Lord Boyd, by reason we could not understand what was the Queen's Majesty's pleasure, and allowance in that behalf ——— And whereas ye mean, that her Highness was not made privy of any such intention, the fault was not in me. The first motion being declared, as I have written, to my Lord of Leicester, and by him, imparted to her Majesty, so far as I could perceive by some speech of her Highness's to me, before my departing. Thus I have plainly declared how I have been dealt withal for this marriage, and how just necessity moved me not to require directly, that which the Duke appeared so ——— unto. And for my threatenings, to assent to the same, I have expressed the manner; the persons that laid the matter before me, were of my own company. But the Duke since hath spoken that it was his writing which saved my life at that time. In conclusion, I pray you persuade her Majesty, that she let no speeches nor any other thing passed and objected to my prejudice, move her Majesty to alter her favour—towards me, or any ways to doubt of my assured constancy towards her Highness; for in any thing which may tend to her honour and surety, I will, while I live, bestow myself, and all that will do for me, notwithstanding my hazard or danger, as proof shall declare, when her Majesty finds time to employ me.

<sup>p</sup> Haynes, 525, 597.

Maitland her restoration to the throne, with an increase of authority, were wonderfully elevated. Maitland was the soul of that party, and the person whose activity and ability the regent chiefly dreaded. He had laid the plan of that intrigue which had kindled such combustion in England. He continued to foment the spirit of disaffection in Scotland, and had seduced from the regent lord Home, Kirkaldy, and several of his former associates. While he enjoyed liberty, the regent could not reckon his own power secure. For this reason, having by an artifice allured Maitland to Stirling, he employed captain Crawford, one of his creatures, to accuse him of being accessary to the murder of the king; and under that pretence he was arrested and carried as a prisoner to Edinburgh. He would soon have been brought to trial, but was saved by the friendship of Kirkaldy, governor of the castle, who, by pretending a warrant for that purpose from the regent, got him out of the hands of the person to whose care he was committed, and conducted him into the castle, which from that time was entirely under Maitland's command.<sup>a</sup> The loss of a place of so much importance, and the defection of a man so eminent for military skill as Kirkaldy, brought the regent into some disreputation, for which, however the success of his ally Elizabeth, about this time, abundantly compensated.

A rebellion against Elizabeth by Mary's adherents. The intrigue carried on for restoring the Scottish queen to liberty having been discovered and discovered, an attempt was made to the same purpose, by force of arms; but the issue of it was not more fortunate. The earls of Northumberland and Westmoreland, though little distinguished by their personal abilities, were two of the most ancient and powerful of the English peers. Their estates in the northern counties were great, and they possessed that influence over the inhabitants, which was hereditary in the popular and martial families of Percy and of Nevil. They were both at-

tached to the Popish religion, and discontented with the court, where new men and a new system prevailed. Ever since Mary's arrival in England, they had warmly espoused her interest; and zeal for Popery, opposition to the court, and commiseration of her sufferings, had engaged them in different plots for her relief. Notwithstanding the vigilance of her keeper, they held a close correspondence with her, and communicated to her all their designs.<sup>r</sup> They were privy to Norfolk's schemes; but the caution with which he proceeded did not suit their ardour and impetuosity. The liberty of the Scottish queen was not their sole object. They aimed at bringing about a change in the religion, and a revolution in the government of the kingdom. For this reason they solicited the aid of the king of Spain, the avowed and zealous patron of Popery in that age. Nothing could be more delightful to the restless spirit of Philip, or more necessary towards facilitating his schemes in the Netherlands, than the involving England in the confusion and miseries of a civil war. The duke of Alva, by his direction, encouraged the two earls, and promised, as soon as they either took the field with their forces, or surprised any place of strength, or rescued the queen of Scots, that he would supply them both with money and a strong body of troops. La Mothe, the governor of Dunkirk, in the disguise of a sailor, sounded the ports where it would be most proper to land. And Chiapini Vitelli, one of Alva's ablest officers, was dispatched into England, on pretence of settling some commercial differences between the two nations; but in reality that the rebels might be sure of a leader of experience as soon as they ventured to take arms.<sup>s</sup>

Defeated. The conduct of this negotiation occasioned many meetings and messages between the two earls. Elizabeth was informed of these; and though she suspected nothing of their real design, she concluded that they were among the number of Norfolk's confidants. They were summoned, for this reason, to repair to court. Conscious

<sup>r</sup> Haynes, 595. Murdin, 44. 62, &c.

<sup>s</sup> Carte, vol. iii. 489, 490. Camd. 421.

of guilt, and afraid of discovery, they delayed giving obedience. A second, and more peremptory order was  
 Nov. 9. issued. This they could not decline, without shaking off their allegiance; and, as no time was left for deliberation, they instantly erected their standard against their sovereign. The re-establishing the Catholic religion; the settling the order of succession to the crown; the defence of the ancient nobility; were the motives which they alleged to justify their rebellion.<sup>t</sup> Many of the lower people flocked to them with such arms as they could procure; and, had the capacity of their leaders been in any degree equal to the enterprise, it must have soon grown to be extremely formidable. Elizabeth acted with prudence and vigour, and was served by her subjects with fidelity and ardour. On the first rumour of an insurrection, Mary was removed to Coventry, a place of strength, which could not be taken without a regular siege; a detachment of the rebels, which was sent to rescue her, returned without success. Troops were assembled in different parts of the kingdom; as they advanced, the malcontents retired. In their retreat, their numbers dwindled away, and their spirits sunk. Despair and uncertainty whither to direct their flight, kept together for some time a small body of them among the mountains of Northumberland; but they were at length obliged to disperse, and the chiefs took refuge among the Scottish borderers. The two earls, together  
 Dec. 21. with the countess of Northumberland, wandering for some days in the wastes of Liddisdale, were plundered by the banditti, exposed to the rigour of the season, and left destitute of the necessaries of life. Westmoreland was concealed by Scott of Buccleugh and Ker of Fernherst, and afterward conveyed into the Netherlands. Northumberland was seized by the regent, who had marched with some troops towards the borders, to prevent any impression the rebels might make on those mutinous provinces.<sup>u</sup>

Amidst so many surprising events, the affairs of the church,

<sup>t</sup> Strype, vol. i. 547.

<sup>u</sup> Cabbala, 171. Camd 429.

Church  
affairs. for two years, have almost escaped our notice. Its general assemblies were held regularly; but no business of much importance employed their attention. As the number of the Protestant clergy daily increased, the deficiency of the funds set apart for their subsistence became greater, and was more sensibly felt. Many efforts were made towards recovering the ancient patrimony of the church, or at least as much of it as was possessed by the Popish incumbents, a race of men who were now not only useless but burdensome to the nation. But though the manner in which the regent received the addresses and complaints of the general assemblies, was very different from that to which they had been accustomed, no effectual remedy was provided; and while they suffered intolerable oppression, and groaned under extreme poverty, fair words and liberal promises were all they were able to obtain.\*

1570. Elizabeth now began to be weary of keeping such  
Elizabeth  
resolves to a prisoner as the queen of Scots. During the  
give up former year, the tranquillity of her government had  
Mary to the regent. been disturbed, first by a secret combination of some  
of her nobles, then by the rebellion of others; and she often declared, not without reason, that Mary was the *hidden cause* of both. Many of her own subjects favoured or pitied the captive queen; the Roman Catholic princes on the continent were warmly interested in her cause. The detaining her any longer in England, she foresaw, would be made the pretext or occasion of perpetual cabals and insurrections among the former; and might expose her to the hostile attempts of the latter. She resolved, therefore, to give up Mary into the hands of the regent, after stipulating with him, not only that her days should not be cut short, either by a judicial sentence or by secret violence, but that she should be treated in a manner suited to her rank; and, in order to secure his observance of this, she required that six of the chief noblemen in the kingdom should be sent into England as hostages.† With respect to the safe custody of the queen, she relied on Murray's vigilance, whose se-

\* Cald. vol. ii. 80, &c.

† Haynes, 524.

curity, no less than her own, depended on preventing Mary from re-ascending the throne. The negotiation for this purpose was carried some length, when it was discovered by the vigilance of the bishop of Ross, who, together with the French and Spanish ambassadors, remonstrated against the infamy of such an action, and represented the surrendering the queen to her rebellious subjects, to be the same thing as if Elizabeth should, by her own authority, condemn her to instant death. This procured a delay; and the murder of the regent prevented the revival of that design.<sup>2</sup>

But he is murdered. Hamilton of Bothwellhaugh was the person who committed this barbarous action. He had been condemned to death soon after the battle of Langside, as I have already related, and owed his life to the regent's clemency. But part of his estates had been bestowed upon one of the regent's favourites, who seized his house, and turned out his wife naked, in a cold night, into the open fields, where, before next morning, she became furiously mad. This injury made a deeper impression upon him than the benefit which he had received, and from that moment he vowed to be revenged upon the regent. Party rage strengthened and inflamed his private resentment. His kinsmen, the Hamiltons, applauded the enterprise. The maxims of that age justified the most desperate course which he could take to obtain vengeance. He followed the regent for some time, and watched for an opportunity to strike the blow. He resolved at last to wait till his enemy should arrive at Linlithgow, through which he was to pass in his way from Stirling to Edinburgh. He took his stand in a wooden gallery, which had a window towards the street; spread a feather bed on the floor, to hinder the noise of his feet from being heard; hung up a black cloth behind him, that his shadow might not be observed from without; and after all this preparation, calmly expected the regent's approach, who had lodged during the night in a part of the town not far distant. Some indistinct information of the danger which threatened him had been conveyed to the regent,

<sup>2</sup> Carte, vol. iii. 494. Anders. vol. iii. 84.

and he paid so much regard to it, that he resolved to return by the same gate through which he had entered, and to fetch a compass round the town. But as the crowd about the gate was great, and he himself unacquainted with fear, he proceeded directly along the street; and the throng of the people obliging him to move very slowly, gave the assassin time to take so true an aim, that he shot him with a single bullet through the lower part of his belly, and killed the horse of a gentleman who rode on his other side. His followers instantly endeavoured to break into the house whence the blow had come, but they found the door strongly barricaded; and before it could be forced open, Hamilton had mounted a fleet horse, which stood ready for him at a back-passage, and was got far beyond their reach. The regent died the same night of his wound.<sup>a</sup>

His character.

There is no person in that age about whom historians have been more divided, or whose character has been drawn in such opposite colours. Personal intrepidity, military skill, sagacity, and vigour in the administration of civil affairs, are virtues, which even his enemies allow him to have possessed in an eminent degree. His moral qualities are more dubious, and ought neither to be praised nor censured without great reserve, and many distinctions. In a fierce age he was capable of using victory with humanity, and of treating the vanquished with moderation. A patron of learning, which, among martial nobles, was either unknown or despised. Zealous for religion, to a degree which distinguished him, even at a time when professions of that kind were not uncommon. His confidence in his friends was extreme, and inferior only in his liberality towards them, which knew no bounds. A disinterested passion for the liberty of his country, prompted him to oppose their pernicious system which the princes of Lorrain had obliged the queen-mother to pursue. On Mary's return into Scotland, he served her with a zeal and affection, to which he sacrificed the friendship of those who were most attached to his person. But, on the other hand,

<sup>a</sup> Buchan. 315. Crawf. Mem. 114 Cabbala, 171.

his ambition was immoderate ; and events happened that opened to him vast projects, which allured his enterprising genius, and led him to actions inconsistent with the duty of a subject. His treatment of the queen, to whose bounty he was so much indebted, was unbrotherly and ungrateful. The dependance on Elizabeth, under which he brought Scotland; was disgraceful to the nation. He deceived and betrayed Norfolk with a baseness unworthy of a man of honour. His elevation to such unexpected dignity inspired him with new passions, with haughtiness and reserve ; and instead of his natural manner, which was blunt and open, he affected the arts of dissimulation and refinement. Fond, towards the end of his life, of flattery, and impatient of advice, his creatures, by soothing his vanity, led him astray, while his ancient friends stood at a distance, and predicted his approaching fall. But amidst the turbulence and confusion of that factious period, he dispensed justice with so much impartiality, he repressed the licentious borderers with so much courage, and established such uncommon order and tranquillity in the country, that his administration was extremely popular, and he was long and affectionately remembered among the commons, by the name of the *Good Regent*.

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## BOOK VI.

1570. Disorders occasioned by the regent's death. THE unexpected blow, by which the regent was cut off, struck the king's party with the utmost consternation. Elizabeth bewailed his death as the most fatal disaster which could have befallen her kingdom ; and was inconsolable to a degree that little suited her dignity. Mary's adherents exulted, as if now her restoration were not only certain, but near at hand. The infamy of the crime naturally fell on those who expressed such indecent joy at the commission of it ; and as the assassin made his escape on a horse which belonged to lord Claud Hamilton, and fled directly to Hamilton, where he was received



in triumph, it was concluded that the regent had fallen a sacrifice to the resentment of the queen's party, rather than to the revenge of a private man. On the day after the murder, Scott of Buccleugh, and Ker of Fernihurst, both zealous abettors of the queen's cause, entered England in a hostile manner, and plundered and burnt the country, the inhabitants of which expected no such outrage. If the regent had been alive, they would scarce have ventured on such an irregular incursion, nor could it well have happened so soon after his death, unless they had been privy to the crime.

This was not the only irregularity to which the anarchy that followed the regent's death gave occasion. During such general confusion, men hoped for universal impunity, and broke out into excesses of every kind. As it was impossible to restrain these without a settled form of government, a convention of the nobles was held, in order to deliberate concerning the election of a regent. The queen's adherents refused to be present at the meeting, and protested against its proceedings. The king's own party was irresolute and divided in opinion. Maitland, whom Kirkaldy had set at liberty, and who obtained from the nobles then assembled a declaration acquitting him of the crime which had been laid to his charge, endeavoured to bring about a coalition of the two parties, by proposing to admit the queen to the joint administration of government with her son. Elizabeth, adhering to her ancient system with regard to Scottish affairs, laboured, notwithstanding the solicitations of Mary's friends,<sup>a</sup> to multiply, and to per-

<sup>a</sup> *William Maitland of Ledington, to my Lord of Leicester, March 20th, 1570, from Ledington.*

An original. The great desolation threatened to this whole realm, be the divisions thereof in dangerous factions, doth press me to frame my letters to your Lordship, in other sort, than were behovefull for me, if I had no other respect, but only to maintain my private credit; therefore I am driven to furnish them with matter, which I know not to be plausible, whereupon by misconstruing my meaning, some there may take occasion of offence, thinking that I rather utter my own passions, than go about to inform your Lordships truly of the state; but I trust my plain dealing shall bear record to the sincerity of my meaning; to make the same sensible, I will lay before your Lordship's eyes the plat of this country; which first is divided into two factions, the one pretending the maintenance of the King's reign, the other alledging the Queen to have been cruelly dealt withall, and unjustly deprived of her state; the former is composed of a good number of nobility, gentlemen, and principal burroughs of the realme, who shall have, as Mr. Randolph beareth us in hand, the Queen's Majesty your sovereign's allowance and protection; the other hath in it some most prin-

petuate the factions which tore in pieces the kingdom. Randolph, whom she dispatched into Scotland on the first news of the regent's death, and who was her usual agent

cipall of the nobility, and therewithall, good numbers of the inferior sort throughout the whole realm, which also look assuredly that all kings do allow their quarrel and will aid them accordingly. What consequence this division will draw after it, I leave it to your Lordship's consideration; there is fallen out another division, accidentally, by my Lord Regent's death, which is like to change the state of the other two factions, to increase the one, and diminish the other, which is grounded upon the regiment of the realm. Some number of noblemen aspire to the government, pretending right thereto by reason of the Queen's demission of the croun, and her commission granted at that time for the regiment during the King's minority; another faction doth altogether repine against that division, thinking it neither fit nor tolerable, that three or four of the meanest sort amongst the Earls, shall presume to challenge to themselves a rule over the whole realme, the next of the blood, the first in rank, the greatest alway both for the antientry of their houses, degree, and forces, being neglected; this order they think preposterous, that the meaner sort shall be placed in public function to command, and the greatest shall continue as private men to obey; besides that, they think if the commission had in the beginning been valewable (which the most part will not grant), yet can it not be extended to the present, for that the conditions thereunto annexed are ceased, and so the effect of the whole void; the latter part of this division hath many pretences, for besides the Queen's faction, which is wholly on that side, a great number of these that have heretofore professed the King's obedience, do favour the same, and will not yield to the government of the other, whose preferment for respects they mislike, when the Queen's faction shall be increased with a part of the King's, and these not of least substance, and yow may judge what is like to ensue. Another incident is like to move men to enter in further discourses; it is given out here in Scotland, that the Queen's Majesty is setting forth some forces towards the border, which shall enter this realm, to countenance these that aspire to the regiment, and suppress the contrary faction, and bruits are spread, that the same shall be here out of hand. These that think themselves of equal force with their contrary faction at home, or rather an overmatch to them, yet not able to encounter with the forces of another prince, rather than yield to their inferiors, will, I fear, take advice of necessity, and evill counsellors, and seek also the maintenance of some foreign prince, whereby her Majesty (altho' no further inconvenient were to be feared) must be driven to excessive charges; and it would appear there were a conspiracy of all the elements at one time to set us together by the ears, for now, when the rumour of your forces coming towards the border is spread abroad, even at the same time is arrived at Dumbarton a galzeon, with a messenger sent expressly from the King of France, to that part of the nobility that favours the Queen, to learn the state of the country, and what support they lack or desire, either for furtherance of her affairs, or for their own safety, assuredly this message will be well received, and suffered accordingly. This is the present state of Scotland. Now, if your Lordship would also know my opinion, how to choise the best as the case standeth, I will in that also satisfie your Lordship. I am required from them to deal plainly, and your Lordship shall judge whether I do so or not: for I think it plain dealing, when I simply utter my judgment, and go not about to disguise my intents. I trust the Queen's Majesty hath a desire to retain at her devotion the realme of Scotland, which she hath gone about to purchase, with bestowing great charges, and the loss of some of her people; this desire is honourable for her Highness, profitable for both the countreys, and of none to be disallowed; specially if it be (as I take it) to have the amity of the whole realm, for it is not a portion of Scotland can serve her turn, nor will it prove commodious for her to suit the friendship of a faction of Scotland, for in so doing in gaining the best she may lose the more, and the same would bring all her actions with us in suspicion, if she should go about to nourish factions amongst us, which meaning I am sure never entered into her Majesty's heart; then if it be the friendship of the whole she doth demand, let her not, for pleasure of one part, go about to overthrow the remnant, which will not be so faisable as some may give her to understand; but rather by way of treaty, let her go about to pacify the whole state, bring the parties to an accord, reduce us all by good means to an uniformity, so shall she give us all occasion to think well of her doings, that she tendeth our wealth, and provoks us universally to wish unto her Majesty a most prosperous continuance; by the contrary, if, for the pleasure of a few she will send forces to suppress these whom they mislike, and so consequently offend many, men be not so

for such services, found all parties so exasperated by mutual injuries, and so full of irreconcilable rancour, that it cost him little trouble to inflame their animosity. The convention broke up without coming to any agreement; and a new meeting, to which the nobles of all parties were invited, was appointed on the 1st of May.<sup>b</sup>

A coalition of parties attempted in vain. Meantime, Maitland and Kirkaldy, who still continued to acknowledge the king's authority, were

at the utmost pains to restore some degree of harmony among their countrymen. They procured for this purpose an amicable conference among the leaders of the two factions. But while the one demanded the restoration of the queen, as the only thing which could reestablish the public tranquillity; while the other esteemed the king's authority to be so sacred, that it was on no account, to be called in question or impaired; and neither of them would recede in the least point from their opinions, they separated without any prospect of concord. Both were rendered more averse from reconciliation, by the hope of foreign aid. An envoy arrived from France with promises of powerful succour to the queen's adherents; and as the civil wars in that kingdom seemed to be on the point of terminating in peace, it was expected that Charles would soon be at liberty to fulfil what he promised. On the other hand, the earl of Sussex was assembling a powerful army on the borders,

faint hearted but they have courage to provide for their own safety, and not only will embrace the means partly offered, but will also procure further, at the hand of other princes. This for mine own part I do abhor, and protest I desire never to see forces of strangers to set foot within this land; yet I know not what point necessity may drive men into; as if men in the middle of the sea were in a ship, which suddenly should be set on fire, the fear of burning would make them leap into the sea, and soon after the fear of the watter would drive them to cleive again to the fired ship; so for avoiding present evil, men will many times be inforced to have recourse to another, no less dangerous. Trust me, forces will not bring forth any good fruit to her Majesty's behove, it must be some way of treaty shall serve the turn, wherein by my former letters your Lordship doth know already what is my judgment; you see how plainly I do write, without consideration in what part my letters may be taken, yet my hope is that such as will favourably interpret them, shall think that I mean as well to her Majesty and that realme, as these that will utter other language. I wish the continuance of the amity betwixt the two countrys, without other respect, and will not conceal from her Majesty any thing, to my knowledge, tending to the prejudice thereof; if I shall perceive her Majesty taking frank dealings in evil part, I shall from thenceforth forbear: in the mean season, I will not cease to trouble your Lordship, as I shall have occasion to write, and so I take my leave of your Lordship.

<sup>b</sup> Crawf. Mem. 131. Calderw. ii. 157.

and its operations could not fail of adding spirit and strength to the king's party.<sup>c</sup>

Queen's party in possession of Edinburgh. Though the attempt towards a coalition of the factions proved ineffectual, it contributed somewhat to moderate or suspend their rage; but they soon

began to act with their usual violence. Morton, the most vigilant and able leader on the king's side, solicited Elizabeth to interpose, without delay, for the safety of a party so devoted to her interest, and which stood so much in need of her assistance. The chiefs of the queen's faction;

April 10. assembling at Linlithgow, marched thence to Edinburgh; and Kirkaldy, who was both governor of the castle and provost of the town, prevailed on the citizens, though with some difficulty, to admit them within the gates. Together with Kirkaldy, the earl of Athol, and Maitland, acceded almost openly to their party; and the duke and lord Herries, having recovered liberty by Kirkaldy's favour, resumed the places which they had formerly held in their councils. Encouraged by the acquisition of persons so illustrious by their birth, or so eminent for their abilities, they published a proclamation, declaring their intention to support the queen's authority, and seemed resolved not to leave the city before the meeting of the approaching convention, in which, by their numbers and influence, they did not doubt of securing a majority of voices on their side.<sup>d</sup>

Endeavour to involve the nation in a war with England. At the same time they had formed a design of kindling war between the two kingdoms. If they could engage them in hostilities, and revive their ancient emulation and antipathy, they hoped, not only to dissolve a confederacy of great advantage to the king's cause, but to reconcile their countrymen to the queen, Elizabeth's natural and most dangerous rival. With this view they had, immediately after the murder of the regent, prompted Scott and Ker to commence hostilities, and had since instigated them to continue and extend their depredations. As Elizabeth foresaw, on the one hand, the dan-

<sup>c</sup> Crawford, Mem. 134.

<sup>d</sup> Ibid. 137. Cald. ii. 176.

gerous consequences of rendering this a national quarrel; and resolved, on the other, not to suffer such an insult on her government to pass with impunity; she issued a proclamation, declaring that she imputed the outrages which had been committed on the borders not to the Scottish nation, but to a few desperate and ill-désigning persons; that, with the former, she was resolved to maintain an inviolable friendship, whereas the duty which she owed to her own subjects obliged her to chastise the licentiousness of the latter.<sup>e</sup> Sussex and Scrope accordingly entered Scotland, the one on the east, the other on the west borders, and laid waste the adjacent countries with fire and sword.<sup>f</sup> Fame magnified the number and progress of their troops, and Mary's adherents, not thinking themselves safe in Edinburgh, the inhabitants whereof were ill affected to their cause, retired to Linlithgow. There, by a public proclamation, they asserted the queen's authority, and forbade giving obedience to any but the duke, or the earls of Argyll and Huntly, whom she had constituted her lieutenants in the kingdom.

April 28.

King's  
party enter  
Edinburgh,  
May 1.

The nobles who continued faithful to the king, though considerably weakened by the defection of so many of their friends, assembled at Edinburgh on the day appointed. They issued a counter-proclamation, declaring such as appeared for the queen enemies of their country; and charging them with the murder both of the late king and of the regent. They could not, however, presume so much on their own strength as to venture either to elect a regent, or to take the field against the queen's party; but the assistance which they received from Elizabeth, enabled them to do both. By her order Sir William Drury marched into Scotland, with a thousand foot and three hundred horse; the king's adherents joined him with a considerable body of troops, and advancing towards Glasgow, where the adverse party had already begun hostilities by attacking the castle, they forced them to retire, plundered the neighbouring country, which belonged to the

<sup>e</sup> Calderw. ii. 181.

<sup>f</sup> Cabbala, 174.

Hamiltons, and, after seizing some of their castles, and rasing others, returned to Edinburgh.

Motives of Elizabeth's conduct with regard to them. Under Drury's protection, the earl of Lennox returned into Scotland. It was natural to commit the government of the kingdom to him during the minority of his grandson. His illustrious birth, and alliance with the royal family of England, as well as of Scotland, rendered him worthy of that honour. His resentment against Mary being implacable, and his estate lying in England, and his family residing there, Elizabeth considered him as a man, who, both from inclination and from interest, would act in concert with her, and ardently wished that he might succeed Murray in the office of regent. But, on many accounts, she did not think it prudent to discover her own sentiments, or to favour his pretensions too openly. The civil wars in France, which had been excited partly by real and partly by pretended zeal for religion, and carried on with a fierceness that did it real dishonour, appeared now to be on the point of coming to an issue; and after shedding the best blood, and wasting the richest provinces in the kingdom, both parties desired peace with an ardour that facilitated the negotiations which were carrying on for that purpose. Charles IX. was known to be a passionate admirer of Mary's beauty. Nor could he, in honour, suffer a queen of France, and the most ancient ally of his crown, to languish in her present cruel situation, without attempting to procure her relief. He had hitherto been obliged to satisfy himself with remonstrating, by his ambassadors, against the indignity with which she had been treated. But if he were once at full liberty to pursue his inclinations, Elizabeth would have every thing to dread from the impetuosity of his temper and the power of his arms. It therefore became necessary for her to act with some reserve, and not to appear avowedly to countenance the choice of a regent, in contempt of Mary's authority. The jealousy and prejudices of the Scots required no less management. Had she openly supported Lennox's claim; had she recommended him to the convention, as the candidate whom she

approved; this might have roused the independent spirit of the nobles, and by too plain a discovery of her intention, she might have defeated its success. For these reasons she hesitated long, and returned ambiguous answers to all the messages which she received from the king's party. A more explicit declaration of her sentiments was at last obtained, and an event of an extraordinary nature seems to have been the occasion of it. Pope Pius V. having issued a bull, whereby he excommunicated Elizabeth, deprived her of her kingdom, and absolved her subjects from their oath of allegiance, Felton, an Englishman, had the boldness to affix it on the gates of the bishop of London's palace. In former ages, a pope, moved by his own ambition, or pride, or bigotry, denounced this fatal sentence against the most powerful monarchs; but as the authority of the court of Rome was now less regarded, its proceedings were more cautious; and it was only when they were roused by some powerful prince, that the thunders of the church were ever heard. Elizabeth, therefore, imputed this step, which the pope had taken, to a combination of the Roman Catholic princes against her, and suspected that some plot was formed in favour of the Scottish queen. In that event, she knew that the safety of her own kingdom depended on preserving her influence in Scotland; and in order to strengthen this, she renewed her promises of protecting the king's adherents, encouraged them to proceed to the election of a regent, and even ventured to point out the earl of Lennox, as the person who had the best title. That honour was accordingly conferred upon him, in a convention of the whole party, held on the 15th of July.<sup>g</sup>

<sup>g</sup> Spotsw. 240. Cald. ii. 186.

*Letter of Queen Elizabeth to the Earle of Sussex, July 2d, 1570.*

Calderw. MS. History, vol. 2. p. 189. Right trusty and well-beloved cousin we greet you well; this day we have received your letters of 28 the last month, with all other letters sent from Scotland, and mentioned in your letters, whereunto answer is desired to be given before the tenth of this month, which is a very short time, the weightiness of the matters, and the distance of the places considered; nevertheless we have, as the shortness could suffer it, resolved to give this answer following, which we will that yow, by warrant hereof, shall cause to be given in our name to the Earle of Lennox and the rest of the noblemen conveend with him. Where it is by them, in their letters and writings alledg'd, that for lack of our resolute answer concerning the establishing of the regiment of the realm under their young King, great

Lennox  
elected  
regent.

The regent's first care was, to prevent the meeting of parliament, which the queen's party had summoned to convene at Linlithgow. Having effected that, he marched against the earl of Huntly, Mary's lieutenant

inconveniences have happened, and therefore they have deferred now at their last convention to determine of the samine, who shall have the place of governour, until the 21st this month, before which time they require to have our advise, in what person or persons the government of that realm shall be established, we accept very thankfull the goodwill and reputation they have of us, in yielding so frankly to require and follow our advise in a matter that toucheth the state of their King, themselves, and realm so near, wherein as we perceive that by our former forbearing to intermeddle therein they have taken some discomfort, as though that we would not have regard to their state and suerty, so, on the other part, they of their wisdoms ought to think that it might be by the whole world evil interpreted in us to appoint them a form of government, or a governour by name; for that howsoever we should mean well if we should do so, yet it could not be without some jealousy in the heads of the estate, nobility, and community of that realm, that the government thereof should be by me specially named and ordain'd; so as finding difficulty on both parts, and yet misliking most that they should take any discomfort by our forbearing to show our mind therein, we have thought in this sort for to proceed, considering with ourselves how now that realm had been a good space of time ruled in the name of their King, and by reason of his base age governed heretofore by a very careful and honourable person, the Earle of Murray, untill that by a mischievous person (an evil example) he was murdered, whereby great disorder and confusion of necessity had, and will more follow, if determination be not made of some other special person or persons to take the charge of governour, or superior ruler, special for administration of law and justice, we cannot but very well allow the desire of these Lords to have some speciall governour to be chosen; and therefore being well assured, that their own understanding of all others is best to consider the state of that realm, and to discern the abilities and qualities of every person meet and capable for such a charge, we shall better satisfie ourselves, whom they by their common consent shall first choose, and appoint to that purpose, then of any to be by us aforehand uncertainly named; and that because they shall perceive that we have care of the person of their King, who by nearness of blood, and in respect to his so young years, ought to be very tender and dear to us, we shall not hide our opinion from them, but if they shall all accord to name his grandfather, our cousin, the Earle of Lennox, to be governor alone, or jointly with others (whom we hear to be in the mean time by their common consent appointed Lieutenant-general), reason moveth us to think that none can be chosen in that whole realm that shall more desire the preservation of the King, and be more meet to have the government for his safety, being next to him in blood of any nobleman of that realm, or elsewhere; and yet hereby we do not mean to prescribe to them this choice, except they shall of themselves fully and freely allow thereof. Furthermore, we would have them well assured, that whatsoever reports of devises are or shall be spread or invented, that we have already yielded our mind to alter the state of the King or government of that realm, the same are without just cause or ground by us given; for as we have already advertized them, that although we have yielded to hear, which in honour we could not refuse, what the Queen of Scots on her part shall say and offer, not only for her own assurance, but for the wealth of that realm, yet not knowing what the same will be that shall be offered, we mean not to break the order of law and justice, by advancing her cause, or prejudging her contrary, before we shall deliberately and assuredly see, upon the hearing of the whole, some place necessary, and just cause to do; and therefore finding that realm ruled by a King, and the same affirmed by laws of that realm, and thereof invested by coronation and other solemnities used and requisite, and generally so received by the whole estates, we mean not, by yielding to hear the complaints or information of the Queen against her son, to do any act whereby to make conclusion of governments, but as we have found it, so to suffer the same to continue, yea, not to suffer it to be altered by any means that we may impeshe, as to our honour it doth belong, as by your late actions hath manifestly appeared, untill by some justice and clear cause, we shall be directly induced otherwise to declare our opinion; and this we would have them to know to be our determination and course that we mean to hold, whereon we trust they for their King may see how plainly and honourably we mean to proceed, and how little cause they have to doubt of us, whatsoever to the contrary they have or shall



in the north, and forced the garrison which he had placed in Brechin to surrender at discretion. Soon after, he made himself master of some other castles. Emboldened by this successful beginning of his administration, as well as by the appearance of a considerable army, with which the earl of Sussex hovered on the borders, he deprived Maitland of his office of secretary, and proclaimed him, the duke, Huntly, and other leaders of the queen's party, traitors and enemies of their country.<sup>a</sup>

Mary's adherents negotiate with Spain. In this desperate situation of their affairs, the queen's adherents had recourse to the king of Spain,<sup>i</sup> with whom Mary had held a close correspondence ever since her confinement in England. They

hear : and on the other part, we pray them of their wisdoms to think how unhonourable, and contrary to all human order it were for us, when the Queen of Scotland doth so many ways require to hear her cause, and doth offer to be ordered by us in the same, as well for matters betwixt ourselves and her, as betwixt herself and her son and his party of that realm, against which offers no reason could move us to refuse to give ear, that we should beforehand openly and directly, before the causes be heard and considered, as it were, give a judgment or sentence either for ourselves or for them whom she maketh to be her contraries. Finally, ye shall admonish them, that they do not, my misconceiving our good meaning toward them, or by indirect assertions of their adversaries, grounded on untruths, hinder or weaken their own cause in such sort, that our good meaning toward them shall not take such effect towards them, as they shall desire, or themselves have need of. All this our answer ye shall cause be given them, and let them know, that for the shortness of time, this being the end of the second of this month, we neither could make any longer declaration of our mind, nor yet write any several letters, as if time might have served we would have done. 2d July 1570.

<sup>a</sup> Crawford. Mem. 159. Cald. ii. 198.

<sup>i</sup> *The Bishop of Ross to Secretary Lidington from Chattisworth.*

15th June, 1570. I have received your letters, dated the 26th of May, here at Chattisworth, the 10th of January, but on the receipt thereof I had written to you at length, like as the Queen did with my Lord Levingston, by which you will

be resolved of many points contained in your said letter. I write to you that I received your letter and credit from Tho<sup>s</sup>. Cowy at London, and sent to Leicester to know the Queen of England's mind, whether if you should come here or not. He sent me word that she will no ways have you come as one of the commissioners, because she is yet offended with you ; and therefore it appears good that ye come not hither, but remain where you are, to use your wisdom and diligence, as may best advance the Queen's affairs, for I perceive your weill and safety depends thereon, in respect to the great feid and enmity born against you by your Scots people, and the great heirship taken of your father's landis ; both were sure demonstrations of their malice. Yet I am encouraged by your stout and deliberate mind. Assure yourself no diligence shall be omitted to procure supports forth off all parts where it may be had. We will not refuse the aid neither of Papist, Jew, nor Gentil, after my advice ; and to this end, during this treaty, let all things be well prepared. And seeing my Lord Seaton is desirous to go into Flanders, the Queen thinks it very necessary that he so do, for the Duke d'Alva has gotten express command of the King of Spain to give support, and I am sure that there he shall have aid both of Flanders and the Pope, for it abides only on the coming of some men of countenance to procure and receive the same. He must needs tarry there, on the preparations thereof, during the treaty, which will be a great furtherance to the same here. The Queen has already written to the Duke D'Alva for this effect, advertizing of his coming ; there is certain sums of money coming for support of the Englishmen, as I wrote to you before, from the Pope. Whereupon I would

prevailed on the duke of Alva to send two of his officers to take a view of the country, and to examine its coasts and harbours; and obtained from them a small sum of money and arms, which were sent to the earl of Huntly.<sup>k</sup> But

Elizabeth proposes a treaty of accommodation between Mary and her subjects. this aid, so disproportionate to their exigencies, would have availed them little. They were indebted for their safety to a treaty which Elizabeth was carrying on, under colour of restoring the captive queen to her throne. The first steps in this negotiation had been taken in the month of May; but hitherto little progress was made in it. The peace concluded between the Roman Catholics and Hugonots in France, and her apprehensions that Charles would interpose with vigour in behalf of his sister-in-law, quickened Elizabeth's motions. She affected to treat her prisoner with more indulgence, she listened more graciously to the solicitations of foreign ambassadors in her favour, and seemed fully determined to replace her on the throne of her ancestors. As a proof of her sincerity, she laboured to procure a cessation of arms between the two contending factions in Scotland. Lennox, elated with the good fortune which had hitherto attended his administration, and flattering himself with an easy triumph over enemies whose estates were wasted, and their forces dispirited, refused for some time

he had a general commission to deal for them, and receive such sums as shall be given. The means shall be found to cause you be ansuerit of the sums you writ for, to be dispoisit upon the furnishing of the castle of Edinburgh, so being some honest and true man were sent to Flanders to receive it, as said is, which I would you prepared and sent. Orders shall be taken for the metals as you writ of. We have proponit your ayve in entring to treat with the Queen of England, for retiring of her forces puntyoally for lack of aid. Your answers to the Englishmen are tho't very good, but above all keep you weill out of their hands, in that case, estote prudentes sicut serpentes. You may take experience with the hard dealing with me, how ye would be used if ye were here, and yet I am not forth of danger, being in medio nationis pravæ; always no fear, with God's grace, shall make me shrink from her Majesty's service. Since the Queen of England has refused that you come here, it appears to me quod nondum est sedata malitia amorreorum, &c. and therefore if Athol or Cathenes might by any means be procured to come, they were the most fit for the purpose; Rothes were also meet, if he and I were not both of one sirname; so the treaty would get the less credit either in Scotland or here. Therefore avys, and send the best may serve the turn, and fail not Robert Melvil come with them, whoever comes, for so is the Queen's pleasure. In my last packet, with James Fogo, to you, in the beginning of May, I sent a letter of the Queen's own handwriting to him, which I trust ye received. I am sorry ye come not for the great relief I hoped to have had by your presence, for you could well have handled the Queen of England, after her humour, as you were wont to do. The rest I refer to your good wisdom, praying God to send you health. From Chattisworth the 15th of January.

<sup>k</sup> Anders. iii. 122. Crawf. Mem. 153.

to come into this measure. It was not safe for him, however, to dispute the will of his protectress. A cessation of hostilities during two months, to commence on the third of September, was agreed upon; and, being renewed from time to time, it continued till the 1st of April next year.<sup>1</sup>

Soon after, Elizabeth dispatched Cecil and Sir Walter Mildmay to the queen of Scots. The dignity of these ambassadors, the former her prime minister, the latter chancellor of the exchequer, and one of her ablest counsellors, convinced all parties that the negotiation was serious, and the hour of Mary's liberty was now approaching. The propositions which they made to her were advantageous to Elizabeth, but such as a prince in Mary's situation had reason to expect. The ratification of the treaty of Edinburgh; the renouncing any pretensions to the English crown, during Elizabeth's own life, or that of her posterity; the adhering to the alliance between the two kingdoms; the pardoning her subjects who had taken arms against her; and her promising to hold no correspondence, and to countenance no enterprise, that might disturb Elizabeth's government; were among the chief articles. By way of security for the accomplishment of these, they demanded that some persons of rank should be given as hostages, that the prince, her son, should reside in England, and that a few castles on the borders should be put into Elizabeth's hands. To some of these propositions Mary consented; some she endeavoured to mitigate; and others she attempted to evade. In the mean time, she transmitted copies of them to the pope, to the king's of France and Spain, and to the duke of Alva. She insinuated, that without some timely and vigorous interposition in her behalf, she would be obliged to accept of these hard conditions, and to purchase liberty at any price. But the pope was a distant and feeble ally, and by his great efforts at this time against the Turks, his treasury was entirely exhausted. Charles had already begun to meditate that conspiracy against the Hugonots, which marks his reign with such

<sup>1</sup> Spotsw. 243.

infamy; and it required much leisure, and perfect tranquillity, to bring that execrable plan to maturity. Philip was employed in fitting out that fleet which acquired so much renown to the Christian arms, by the victory over the infidels at Lepanto; the Moors in Spain threatened an insurrection; and his subjects in the Netherlands, provoked by much oppression and many indignities, were breaking out into open rebellion. All of them, for these different reasons, advised Mary, without depending on their aid, to conclude the treaty on the best terms she could procure.<sup>m</sup>

Elizabeth's  
artifices in  
the conduct  
of it.

Mary accordingly consented to many of Elizabeth's demands, and discovered a facility of disposition, which promised still farther concessions. But no concession she could have made, would have satisfied Elizabeth, who, in spite of her repeated professions of sincerity to foreign ambassadors, and notwithstanding the solemnity with which she carried on the treaty, had no other object in it, than to amuse Mary's allies, and to gain time.<sup>n</sup> After having so long treated a queen, who fled to her for refuge, in so ungenerous a manner, she could not now dismiss her with safety. Under all the disadvantages of a rigorous confinement, Mary had found means to excite commotions in England, which were extremely formidable. What desperate effects of her just resentment might be expected, if she were set at liberty, and recovered her former power? What engagements could bind her not to revenge the wrongs which she had suffered, nor to take advantage of the favourable conjunctures that might present themselves? Was it possible for her to give such security for her behaviour, in times to come, as might remove all suspicions and fears? And was there not good cause to conclude, that no future benefits could ever obliterate the memory of past injuries? It was thus Elizabeth reasoned: though she continued to act as if her views had been entirely different. She appointed seven of her privy-counsellors to be commissioners for settling the articles of the treaty; and, as Mary had already named the bishops of

<sup>m</sup> Anders. vol. iii. 119, 120.

<sup>n</sup> Digges, Compl. Amb. 78.

Ross and Galloway, and lord Livingston, for her ambassadors, she required the regent to empower proper persons to appear in behalf of the king. The earl of Morton, Pitcairn, abbot of Dunfermling, and Sir James Macgil, were the persons chosen by the regent. They prepared for their journey as slowly as Elizabeth herself could have wished.

Feb. 19, At length they arrived at London, and met the  
1571. commissioners of the two queens. Mary's ambassadors discovered the strongest inclination to comply with every thing that would remove the obstacles which stood in the way of their mistress's liberty. But when Morton and his associates were called upon to vindicate their conduct, and to explain the sentiments of their party, they began, in justification of their treatment of the queen, to advance such maxims concerning the limited powers of princes, and the natural right of subjects to resist and to control them, as were extremely shocking to Elizabeth; whose notions of regal prerogative, as has been formerly observed, were very exalted. With regard to the authority which the king now possessed, they declared they neither had, nor could possibly receive instructions, to consent to any treaty that tended to subvert, or even to impair it in the least degree.<sup>o</sup> Nothing could be more trifling and ridiculous, than such a reply from the commissioners of the king of Scots to the queen of England. His party depended absolutely on her protection; it was by persons devoted to her he had been seated on the throne, and to her power he owed the continuance of his reign. With the utmost ease she could have brought them to hold very different language; and whatever conditions she might have thought fit to subscribe, they would have had no other choice but to submit. This declaration, however, she

affected to consider as an insuperable difficulty;  
It proves  
fruitless. and finding that there was no reason to dread any  
March 24. danger from the French king, who had not discovered that eagerness in support of Mary which was expected, the reply made by Morton furnished her with a

pretence for putting a stop to the negotiation, until the regent should send ambassadors with more ample powers. Thus, after being amused for ten months with the hopes of liberty, the unhappy queen of Scots remained under stricter custody than ever, and without any prospect of escaping from it; while those subjects who still adhered to her were exposed, without ally or protector, to the rage of enemies, whom their success in this negotiation rendered still more insolent.<sup>p</sup>

Dumbar-  
ton castle  
surprised  
by the  
regent.

On the day after the expiration of the truce, which had been observed with little exactness on either side, captain Crawford of Jordan-hill, a gallant and enterprising officer, performed a service of great importance to the regent, by surprising the castle of Dumbarton. This was the only fortified place in the kingdom, of which the queen had kept possession ever since the commencement of the civil wars. Its situation, on the top of a high and almost inaccessible rock, which rises in the middle of a plain, rendered it extremely strong, and, in the opinion of that age, impregnable; as it commanded the river Clyde, it was of great consequence, and was deemed the most proper place in the kingdom for landing any foreign troops that might come to Mary's aid. The strength of the place rendered lord Fleming, the governor, more secure than he ought to have been, considering its importance. A soldier who had served in the garrison, and had been disgusted by some ill usage, proposed the scheme to the regent, endeavoured to demonstrate that it was practicable, and offered himself to go the foremost man on the enterprise. It was thought prudent to risk any danger for so great a prize. 'Scaling-ladders, and whatever else might be necessary, were prepared with the utmost secrecy and dispatch. All the avenues to the castle were seized, that no intelligence of the design might reach the governor. Towards evening Crawford marched from Glasgow with a small but determined band. By midnight they arrived at the bottom of the rock. The moon was

set, and the sky, which had hitherto been extremely clear, was covered with a thick fog. It was where the rock was the highest that the assailants made their attempt, because in that place there were few sentinels, and they hoped to find them least alert. The first ladder was scarcely fixed, when the weight and eagerness of those who mounted brought it to the ground. None of the assailants were hurt by the fall, and none of the garrison alarmed by the noise. Their guide and Crawford scrambled up the rock, and fastened the ladder to the roots of a tree which grew in a cleft. This place they all reached with the utmost difficulty, but were still at a great distance from the foot of the wall. Their ladder was made fast a second time; but in the middle of the ascent, they met with an unforeseen difficulty. One of their companions was seized with some sudden fit, and clung, seemingly without life, to the ladder. All were at a stand. It was impossible to pass him. To tumble him headlong was cruel; and might occasion a discovery. But Crawford's presence of mind did not forsake him. He ordered the soldier to be bound fast to the ladder, that he might not fall when the fit was over; and turning the other side of the ladder, they mounted with ease over his belly. Day now began to break, and there still remained a high wall to scale; but after surmounting so many great difficulties, this was soon accomplished. A sentry observed the first man who appeared upon the parapet, and had just time to give the alarm before he was knocked on the head. The officers and soldiers of the garrison ran out naked, unarmed, and more solicitous about their own safety, than capable of making resistance. The assailants rushed forward, with repeated shouts and with the utmost fury; took possession of the magazine; seized the cannon, and turned them against their enemies. Lord Fleming got into a small boat, and fled all alone into Argyllshire. Crawford, in reward of his valour and good conduct, remained master of the castle; and as he did not lose a single man in the enterprise, he enjoyed his success with unmixed pleasure. Lady Fleming, Verac, the French

envoy, and Hamilton, archbishop of St. Andrew's, were the prisoners of greatest distinction.<sup>1</sup>

Archbishop of St. Andrew's put to death by him. Verac's character protected him from the usage which he merited by his activity in stirring up enemies against the king. The regent treated the lady with great politeness and humanity. But a very different fate awaited the archbishop; he was carried under a strong guard to Stirling; and as he had formerly been attainted by act of parliament, he was, without any formal trial, condemned to be hanged; and, on the fourth day after he was taken, the sentence was executed. An attempt was made to convict him of being accessory to the murder both of the king and regent, but these accusations were supported by no proof. Our historians observe, that he was the first bishop in Scotland, who died by the hands of the executioner. The high offices he had enjoyed, both in church and state, ought to have exempted him from a punishment inflicted only on the lowest criminals. But his zeal for the queen, his abilities, and his profession, rendered him odious and formidable to the king's adherents. Lennox hated him as the person by whose counsels the reputation and power of the house of Hamilton were supported. Party-rage and personal enmity dictated that indecent sentence, for which some colour was sought by imputing to him such odious crimes.<sup>2</sup>

Kirkaldy defends the castle of Edinburgh in the queen's name.

The loss of Dumbarton, and the severe treatment of the archbishop, perplexed no less than they enraged the queen's party; and hostilities were renewed with all the fierceness which disappointment and indignation can inspire. Kirkaldy, who, during the truce, had taken care to increase the number of his garrison, and to provide every thing necessary for his defence, issued a proclamation declaring Lennox's authority to be unlawful and usurped; commanding all who favoured his cause to leave the town within six hours; seized the arms belonging to the citizens; planted a battery on the steeple of St. Giles's, repaired the walls, and fortified the

<sup>1</sup> Buchan. 394.

<sup>2</sup> Spotswood, 252.



gates of the city ; and, though the affections of the inhabitants leaned a different way, held out the metropolis against the regent. The duke, Huntly, Home, Herries, and other chiefs of that faction, repaired to Edinburgh with their followers ; and having received a small sum of money and some ammunition from France, formed no contemptible army within the walls. On the other side, Morton seized Leith, and fortified it ; and the regent joined him with a considerable body of men. While the armies lay so near each other, daily skirmishes happened, and with various success. The queen's party was not strong enough to take the field against the regent, nor was his superiority so great as to undertake the siege of the castle or of the town.<sup>s</sup>

Both parties hold parliaments. May 14. Some time before Edinburgh fell into the hands of his enemies, the regent had summoned a parliament to meet in that place. In order to prevent any objection against the lawfulness of the meeting, the members obeyed the proclamation as exactly as possible, and assembled in a house at the head of the Canongate, which, though without the walls, lies within the liberties of the city. Kirkaldy exerted himself to the utmost to interrupt their meeting ; but they were so strongly guarded, that all efforts were vain. They passed an act attainting Maitland and a few others, and then adjourned to the 28th of August.<sup>t</sup>

The other party, in order that their proceedings might be countenanced by the same show of legal authority, held a meeting of parliament soon after. There was produced in this assembly a declaration by the queen of the invalidity of that deed whereby she had resigned the crown, and consented to the coronation of her son. Conformable to this declaration, an act was passed pronouncing the resignation to have been extorted by fear ; to be null in itself, and in all its consequences ; and enjoining all good subjects to acknowledge the queen alone to be their lawful sovereign, and to support those who acted in her name.

<sup>s</sup> Cald. ii. 233, &c.

<sup>t</sup> Crawford. Mem. 177.

The present establishment of the Protestant religion was confirmed by another statute ; and, in imitation of the adverse party, a new meeting was appointed on the 26th of August.<sup>u</sup>

Miserable condition of the kingdom. Meanwhile all the miseries of civil war desolated the kingdom. Fellow-citizens, friends, brothers, took different sides, and ranged themselves under the standards of the contending factions. In every county, and almost in every town and village, *king's men* and *queen's men* were names of distinction. Political hatred dissolved all natural ties, and extinguished the reciprocal good-will and confidence which holds mankind together in society. Religious zeal mingled itself with these civil distinctions, and contributed not a little to heighten and to inflame them.

State of factions. The factions which divided the kingdom were, in appearance, only two ; but in both these there were persons with views and principles so different from each other, that they ought to be distinguished. With some, considerations of religion were predominant, and they either adhered to the queen, because they hoped by her means to re-establish Popery, or they defended the king's authority, as the best support of the Protestant faith. Among these the opposition was violent and irreconcilable. Others were influenced by political motives only, or allured by views of interest ; the regent aimed at uniting these, and did not despair of gaining, by gentle arts, many of Mary's adherents to acknowledge the king's authority. Maitland and Kirkaldy had formed the same design of a coalition, but on such terms that the queen might be restored to some share in the government, and the kingdom shake off its dependance upon England. Morton, the ablest, the most ambitious, and the most powerful men of the king's party, held a particular course ; and moving only as he was prompted by the court of England, thwarted every measure that tended towards a reconciliation of the factions ; and as he served Elizabeth with much fidelity,

he derived both power and credit from her avowed protection.

The time appointed by both parties for the meeting of their parliaments now approached. Only three peers and two bishops appeared in that which was held in the queen's name at Edinburgh. But, contemptible as their numbers were, they passed an act for attainting upwards of two hundred of the adverse faction. The meeting at Stirling was numerous and splendid. The regent had prevailed on the earls of Argyll, Eglinton, Cassils, and lord Boyd, to acknowledge the king's authority. The three earls were among the most powerful noblemen in the kingdom, and had hitherto been zealous in the queen's cause. Lord Boyd had been one of Mary's commissioners at York and Westminster, and since that time had been admitted into all her most secret councils. But, during that turbulent period, the conduct of individuals, as well as the principles of factions, varied so often, that the sense of honour, a chief preservative of consistence in character, was entirely lost; and, without any regard to decorum, men suddenly abandoned one party, and adopted all the violent passions of the other. The defection, however, of so many persons of distinction, not only weakened the queen's party, but added reputation to her adversaries.

The king's party surprised in Stirling. Sept. 3. After the example of the parliament at Edinburgh, that at Stirling began with framing acts against the opposite faction. But in the midst of all the security, which confidence in their own numbers or distance from danger could inspire, they were awakened early in the morning of September 3d, by the shouts of the enemy in the heart of the town. In a moment the houses of every person of distinction were surrounded, and before they knew what to think of so strange an event, the regent, the earls of Argyll, Morton, Glencairn, Cassils, Eglinton, Montrose, Buchan, the lords Sempil, Cathcart, Ogilvie, were all made prisoners, and mounted behind troopers, who were ready to carry them to Edinburgh. Kirkaldy was the author of this daring enterprise; and if

he had not been induced, by the ill-timed solicitude of his friends about his safety, not to hazard his own person in conducting it, that day might have terminated the contest between the two factions, and have restored peace to his country. By his direction four hundred men, under the command of Huntly, lord Claud Hamilton, and Scott of Buccleugh, set out from Edinburgh, and the better to conceal their design, marched towards the south. But they soon wheeled to the right, and, horses having been provided for the infantry, rode straight to Stirling. By four in the morning they arrived there: not one sentry was posted on the walls, not a single man was awake about the place. They met with no resistance from any person whom they attempted to seize, except Morton. He defended his house with obstinate valour, they were obliged to set it on fire, and he did not surrender till forced out of it by the flames. In performing this, some time was consumed; and the private men, unaccustomed to regular discipline, left their colours, and began to rifle the houses and shops of the citizens. The noise and uproar in the town reached the castle. The earl of Mar sallied out with thirty soldiers, fired briskly upon the enemy, of whom almost none but the officers kept together in a body. The townsmen took arms to assist their governor; a sudden panic struck the assailants; some fled, some surrendered themselves to their own prisoners; and had not the borderers, who followed Scott, prevented a pursuit, by carrying off all the horses within the place, not a man would have escaped. If the regent had not unfortunately been killed, the loss on the king's side would have been as inconsiderable as the alarm was great.

The regent killed. *Think on the archbishop of St. Andrew's, was the*

word among the queen's soldiers; and Lennox fell a sacrifice to his memory. The officer to whom he surrendered, endeavouring to protect him, lost his own life in his defence. He was slain, according to the general opinion, by command of lord Claud Hamilton. Kirkaldy had the glory of concerting this plan with great secrecy and prudence; but Morton's fortunate obstinacy, and the want of discipline

among his troops, deprived him of success, the only thing wanting to render this equal to the most applauded military enterprises of the kind.\*

Mar chosen regent. Sept. 6. As so many of the nobles were assembled, they proceeded without delay to the election of a regent.

Argyll, Morton, and Mar, were candidates for the office. Mar was chosen by a majority of voices. Amidst all the fierce dissensions which had prevailed so long in Scotland, he had distinguished himself by his moderation, his humanity, and his disinterestedness. As his power was far inferior to Argyll's, and his abilities not so great as Morton's, he was, for these reasons, less formidable to the other nobles. His merit, too, in having so lately rescued the leaders of the party from imminent destruction, contributed not a little to his preferment.

Proceedings in England against Mary.

While these things were carrying on in Scotland, the transactions in England were no less interesting to Mary, and still more fatal to her cause. The parliament of that kingdom, which met in April, passed an act, by which it was declared to be high treason to claim any right to the crown during the life of the queen; to affirm that the title of any other person was better than hers, or to maintain that the parliament had not power to settle and to limit the order of succession. This remarkable statute was intended not only for security of their own sovereign, but to curb the restless and intriguing spirit of the Scottish queen and her adherents.†

Marriage negotiated between Elizabeth and the duke of Anjou.

At this time a treaty of marriage between Elizabeth and the duke of Anjou, the French king's brother, was well advanced. Both courts seemed to desire it with equal ardour, and gave out, with the utmost confidence, that it could not fail of taking place. Neither of them, however, wished it success; and they encouraged it for no other end, but because it served to cover or to promote their particular designs. The whole policy of Catherine of Medicis was bent towards the accomplishment of her detestable project for the destruction

\* Melv. 226. Crawf. Mem. 204.

† Camd. 436.

of the Hugonot chiefs; and by carrying on a negotiation for the marriage of her son with a princess who was justly esteemed the protectress of that party, by yielding some things in point of religion, and by discovering an indifference with regard to others, she hoped to amuse all the Protestants in Europe, and to lull asleep the jealousy even of the Hugonots themselves. Elizabeth flattered herself with reaping advantages of another kind. During the dependance of the negotiation, the French could not with decency give any open assistance to the Scottish queen; if they conceived any hopes of success in the treaty of marriage, they would of course interest themselves but coldly in her concerns; Mary herself must be dejected at losing an ally, whom she had hitherto reckoned her most powerful protector; and, by interrupting her correspondence with France, one source, at least, of the cabals and intrigues which disturbed the kingdom would be stopt. Both queens succeeded in their schemes. Catherine's artifices imposed upon Elizabeth, and blinded the Hugonots. The French discovered the utmost indifference about the interest of the Scottish queen; and Mary, considering that court as already united with her rival, turned for protection with more eagerness than ever towards the king of Spain.<sup>2</sup> Philip, whose dark and thoughtful mind delighted in the mystery of intrigue, had held a secret correspondence with Mary for some time, by means of the bishop of Ross, and had supplied both herself and her adherents in Scotland with small sums of money. Ridolphi, a Florentine gentleman, who resided at London under the character of a banker, and who acted privately as an agent for the Pope, was the person whom the bishop intrusted with this negotiation. Mary thought it necessary likewise to communicate the secret to the duke of Norfolk, whom Elizabeth had lately restored to liberty, upon his solemn promise to have no farther intercourse with the queen of Scots. This promise, however, he regarded so little, that he continued to keep a constant correspondence with the captive

Norfolk's  
conspiracy  
in favour  
of Mary.

<sup>2</sup> Digges, 141. 148. Camb. 434.

queen; while she laboured to nourish his ambitious hopes, and to strengthen his amorous attachment by letters written in the fondest caressing strain. Some of these he must have received at the very time when he made that solemn promise of holding no farther intercourse with her, in consequence of which Elizabeth restored him to liberty. Mary, still considering him as her future husband, took no step in any matter of moment without his advice. She early communicated to him her negotiations with Ridolphi; and in a long letter, which she wrote to him in ciphers,<sup>a</sup> after complaining of the baseness with which the French court had abandoned her interest, she declared her intention of imploring the assistance of the Spanish monarch, which was now her only resource; and recommended Ridolphi to his confidence, as a person capable both of explaining and advancing the scheme. The duke commanded Hickford, his secretary, to decipher, and then to burn this letter; but, whether he had been already gained by the court, or resolved at that time to betray his master, he disobeyed the latter part of the order, and hid the letter, together with other treasonable papers, under the duke's own bed.

Ridolphi, in a conference with Norfolk, omitted none of those arguments, and spared none of those promises, which are the usual incentives to rebellion. The pope, he told him, had a great sum in readiness to bestow in so good a cause. The duke of Alva had undertaken to land ten thousand men not far from London. The Catholics, to a man, would rise in arms. Many of the nobles were ripe for a revolt, and wanted only a leader. Half the nation had turned their eyes towards him, and called on him to revenge the unmerited injuries which he himself had suffered; and to rescue an unfortunate queen, who offered him her hand and her crown as the reward of his success. Norfolk approved of the design, and though he refused to give Ridolphi any letter of credit, allowed him to use his name in negotiating with the pope and Alva.<sup>b</sup> The bishop of Ross,

<sup>a</sup> Haynes, 597, 598. Hardw. State Papers, i. 190, &c. Digges's Compleat Ambas. 174.  
<sup>b</sup> Anders. iii. 161.

who, from the violence of his temper, and impatience to procure relief for his mistress, was apt to run into rash and desperate designs, advised the duke to assemble secretly a few of his followers, and at once to seize Elizabeth's person.

discovered by Elizabeth. But this the duke rejected as a scheme equally wild and hazardous. Meanwhile, the English court had received some imperfect information of

the plot, by intercepting one of Ridolphi's agents; and an accident happened, which brought to light all the circumstances of it. The duke had employed Hickford to transmit to lord Herries some money, which was to be distributed among Mary's friends in Scotland. A person not in the secret was intrusted with conveying it to the borders, and he, suspecting it, from the weight, to be gold, whereas he had been told that it was silver, carried it directly to the privy-council. The duke, his domestics, and all who were privy, or could be suspected of being privy to the design, were taken into custody. Never did the accomplices in a conspiracy discover less firmness, or servants betray an

Sept. 7. indulgent master with greater baseness. Every one confessed the whole of what he knew. Hickford gave directions how to find the papers which he had hidden. The duke himself, relying at first on the fidelity of his associates, and believing all dangerous papers to have been destroyed, confidently asserted his own innocence; but when their depositions and the papers themselves were produced, astonished at their treachery, he acknowledged his guilt, and implored the queen's mercy. His offence was too heinous, and too often repeated, to obtain pardon; and Elizabeth thought it necessary to deter her subjects, by his punishment, from holding correspondence with the queen of Scots, or her emissaries. Being tried by his peers, he was found guilty of high-treason, and, after several delays, suffered death for the crime.<sup>c</sup>

The discovery of this conspiracy produced many effects, extremely detrimental to Mary's interest. The bishop of Ross, who appeared, by the confession of all concerned, to

<sup>c</sup> Anders. iii. 149. State Trials, 185.



be the prime mover in every cabal against Elizabeth, was taken into custody, his papers searched, himself committed to the Tower, treated with the utmost rigour, threatened with capital punishment, and after a long confinement set at liberty, on condition that he should leave the kingdom. Mary was not only deprived of a servant, equally eminent for his zeal and his abilities, but was denied from that time the privilege of having an ambassador at the English court. The Spanish ambassador, whom the power and dignity of the prince he represented exempted from such insults as Ross had suffered, was commanded to leave England.<sup>d</sup> As there was now the clearest evidence that Mary, from resentment of the wrongs she had suffered, and impatience of the captivity in which she was held, would not scruple to engage in the most hostile and desperate enterprises against the established government and religion, she began to be regarded as a public enemy, and was kept under a stricter guard than formerly; the number of her domestics was abridged, and no person permitted to see her, but in presence of her keepers.\*

Elizabeth declares openly against the queen's party. Oct. 23. At the same time, Elizabeth, foreseeing the storm which was gathering on the continent against her kingdom, began to wish that tranquillity was restored in Scotland; and irritated by Mary's late attempt against her government, she determined to act without disguise or ambiguity, in favour of the king's party. This resolution she intimated to the leaders of both factions. Mary, she told them, had held such a criminal correspondence with her avowed enemies, and had excited such dangerous conspiracies both against her crown and her life, that she would henceforth consider her as unworthy of protection, and would never consent to restore her to liberty, far less to replace her on her throne. She exhorted them, therefore, to unite in acknowledging the king's authority. She promised to procure, by her mediation, equitable terms for those who had hitherto opposed it. But if they still continued refractory, she threat-

<sup>d</sup> Digges, 163.

\* Strype, Ann. ii. 50.

ened to employ her utmost power to compel them to submit.<sup>f</sup> Though this declaration did not produce an immediate effect; though hostilities continued in the neighbourhood of Edinburgh; though Huntly's brother, Sir Adam Gordon, by his bravery and good conduct, had routed the king's adherents in the north in many encounters; yet such an explicit discovery of Elizabeth's sentiments contributed not a little to animate one party, and to depress the spirits and hopes of the other.<sup>g</sup>

1572. As Morton, who commanded the regent's forces, Hostilities lay at Leith, and Kirkaldy still held out the town carried on between and castle of Edinburgh, scarce a day passed without a skirmish; and while both avoided any decisive action, they harassed each other by attacking small parties, beating up quarters, and intercepting convoys. These operations, though little memorable in themselves, kept the passions of both factions in perpetual exercise and agitation, and wrought them up, at last, to a degree of fury, which rendered them regardless not only of the laws of war, but of the principles of humanity. Nor was it in the field alone, and during the heat of combat, that this implacable rage appeared; both parties hanged the prisoners which they took, of whatever rank or quality, without mercy, and without trial. Great numbers suffered in this shocking manner; the unhappy victims were led, by fifties at a time, to execution; and it was not till both sides had smarted severely, that they discontinued this barba-

<sup>f</sup> *The declaration of John Cais to the Lords of Grange and Lethington zoungeare upon the 8th day of Oct. 1571.*

Whereas you desire to know the Queen's Majesty's pleasure, what she will do for appeasing of these controversies, and therewith has offered yourselves to be at her commandment, touching the common tranquility of the whole isle, and the amity of both realms; her pleasure is in this behalf, that ye should leave of the maintenance of this civil discord, and gave your obedience to the King, whom she will maintain to the utmost of her power.

And in this doing, she will deal with the Regent and the King's party to receive you into favour, upon reasonable conditions for security of life and livings.

Also she says, that the Queen of Scots, for that she has practised with the Pope and other Princes, and also with her own subjects in England, great and dangerous treasons against the state of her own country, and also to the destruction of her own person, that she shall never bear authority, nor have liberty while she lives.

If ye refuse these gentle offers now offered unto you, she will presently aid the King's party with men, ammunition, and all necessary things, to be had against you. Whereupon her Majesty requires your answer with speed, without any delay.

<sup>g</sup> *Cald. ii. 282. 294. Strype, ii. 76.*

rous practice, so reproachful to the character of the nation.<sup>b</sup> Meanwhile, those in the town and castle, though they had received a supply of money from the duke of Alva,<sup>i</sup> began to suffer for want of provisions. As Morton had destroyed all the mills in the neighbourhood of the city, and had planted small garrisons in all the houses of strength around it, scarcity daily increased. At last all the miseries of famine were felt, and they must have been soon reduced to such extremities, as would have forced them to capitulate, if the English and French ambassadors had not procured a suspension of hostilities between the two parties.<sup>k</sup>

League  
between  
England  
and  
France.

Though the negotiation for a marriage between Elizabeth and the duke of Anjou had been fruitless, both Charles and she were desirous of concluding a defensive alliance between the two crowns. He considered such a treaty not only as the best advice for blinding the Protestants, against whom the conspiracy was now almost ripe for execution; but as a good precaution, likewise, against the dangerous consequences to which that atrocious measure might expose him. Elizabeth, who had hitherto reigned without a single ally, now saw her kingdom so threatened with intestine commotions, or exposed to invasions from abroad, that she was extremely solicitous to secure the assistance of so powerful a neighbour. The difficulties arising from the situation of the Scottish queen were the chief occasions of any delay. Charles demanded some terms of advantage for Mary and her party. Elizabeth refused to listen to any proposition of that kind. Her obstinacy overcame the faint efforts of the French monarch. Mary's name was not so much as mentioned in the treaty; and with regard to Scottish affairs, a short article was inserted, in general and ambiguous terms, to this purpose: "That the parties contracting shall make no innovations in Scotland, nor suffer any stranger to enter, and to foment the factions there; but it shall be lawful for the queen of England to chastise, by force of arms, those Scots who shall continue to harbour the English rebels now

April 11.

<sup>b</sup> Crawf. Mem, 218. 220.

<sup>i</sup> Cald. iii. 345.

<sup>k</sup> Ibid. 346.

in Scotland.”<sup>1</sup> In consequence of this treaty, France and England affected to act in concert with regard to Scotland, and Le Croc and Sir William Drury appeared there, in the name of their respective sovereigns. By their mediation, a truce for two months was agreed upon, and during that time conferences were to be held between the leaders of the opposite factions, in order to accommodate their differences and restore peace to the kingdom. This truce afforded a seasonable interval of tranquillity to the queen’s adherents in the south ; but in the north it proved fatal to her interest. Sir Adam Gordon had still maintained his reputation and superiority there. Several parties, under different officers, were sent against him. Some of them he attacked in the field ; against others he employed stratagem ; and as his courage and conduct were equal, none of his enterprises failed of success. He made war too with the humanity which became so gallant a man, and gained ground by that, no less than by the terror of his arms. If he had not been obliged by the truce to suspend his operations, he would in all probability have brought that part of the kingdom to submit entirely to the queen’s authority.<sup>m</sup>

Proceed-  
ings in  
England  
against  
Mary.

Notwithstanding Gordon’s bravery and success, Mary’s interest was on the decline, not only in her own kingdom, but among the English. Nothing could be more offensive to that nation, jealous of foreigners, and terrified at the prospect of the Spanish yoke, than her negotiations with the duke of Alva. The parliament, which met in May, proceeded against her as the most dangerous enemy of the kingdom ; and, after a solemn conference between the lords and commons, both houses agreed in bringing in a bill to declare her guilty of high treason, and to deprive her of all right of succession to the crown. This great cause, as it was then called, occupied them during the whole session, and was carried on with much unanimity. Elizabeth, though she applauded their zeal, and approved greatly of the course they were taking, was satisfied with shewing Mary what she might

<sup>1</sup> Digges, 170. 191. Camden, 444.

<sup>m</sup> Crawf. Mem.

expect from the resentment of the nation ; but as she did not yet think it time to proceed to the most violent extremity against her, she prorogued the parliament.<sup>a</sup>

The French neglect her interest. These severe proceedings of the English parliament were not more mortifying to Mary, than the coldness and neglect of her allies the French. The duke of Montmorency, indeed, who came over to ratify the league with Elizabeth, made a show of interesting himself in favour of the Scottish queen ; but, instead of soliciting for her liberty, or her restoration to her throne, all that he demanded was a slight mitigation of the rigour of her imprisonment. Even this small request he urged with so little warmth or importunity, that no regard was paid to it.<sup>o</sup>

The massacre of Paris. The alliance with France afforded Elizabeth much satisfaction, and she expected from it a great increase of security. She now turned her whole attention towards Scotland, where the animosities of the two factions were still so high, and so many interfering interests to be adjusted, that a general pacification seemed to be at a great distance. But while she laboured to bring them to some agreement, an event happened which filled a great part of Europe with astonishment and with horror. This was the massacre at Paris ; an attempt, to which there is no parallel in the history of mankind, either for the long train of craft and dissimulation with which it was contrived, or for the cruelty and barbarity with which it was carried into execution. By the most solemn promises of safety and of favour, the leaders of the Protestants were drawn to court ; and though doomed to destruction, they were received with caresses, loaded with honours, and treated, for seven months, with every possible mark of familiarity and of confidence. In the midst of their security, the warrant for their destruction was issued by their sovereign, on whose word they had relied ; and, in obedience to it, their countrymen, their fellow-citizens, and companions, imbrued their hands in their blood. Ten thousand Protestants, without distinction of age, or sex, or

<sup>a</sup> D'Ewes, Journ. 206, &c.

<sup>o</sup> Jebb, ii. 512.

condition, were murdered in Paris alone. The same barbarous orders were sent to other parts of the kingdom, and a like carnage ensued. This deed, which no Popish writer, in the present age, mentions without detestation, was at that time applauded in Spain; and at Rome solemn thanksgivings were offered to God for its success. But among the Protestants, it excited incredible horror; a striking picture of which was drawn by the French ambassador at the court of England, in his account of his first audience after the massacre. "A gloomy sorrow," says he, "sat on every face; silence, as in the dead of night, reigned through all the chambers of the royal apartment; the ladies and courtiers were ranged on each side, all clad in deep mourning, and as I passed through them, not one bestowed on me a civil look, or made the least return to my salutes."<sup>p</sup>

Detrimental to Mary's interest. But horror was not the only passion with which this event inspired the Protestants; it filled them with fear. They considered it as the prelude to some greater blow, and believed, not without much probability, that all the Popish princes had conspired the destruction of their sect. This opinion was of no small disservice to Mary's affairs in Scotland. Many of her adherents were Protestants; and, though they wished her restoration, were not willing, on that account, to sacrifice the faith which they professed. They dreaded her attachment to a religion which allowed its votaries to violate the most solemn engagements, and prompted them to perpetrate the most barbarous crimes. A general confederacy of the Protestants seemed to them the only thing that could uphold the Reformation against the league which was formed to overturn it. Nor could the present establishment of religion be long maintained in Britain, but by a strict union with Elizabeth, and by the concurrence of both nations, in espousing the defence of it as a common cause.<sup>q</sup>

Encouraged by this general disposition to place confidence in her, Elizabeth resumed a scheme which she had formed

<sup>p</sup> Carte, iii. 522.

<sup>q</sup> Digges, 244. 267.

during the regency of the earl of Murray, of sending Mary as a prisoner into Scotland. But her sentiments and situation were now very different from what they had been during her negotiation with Murray. Her animosity against the queen of Scots was greatly augmented by recent experience, which taught her that she had inclination as well as power, not only to disturb the tranquillity of her reign, but to wrest from her the crown; the party in Scotland favourable to Mary was almost entirely broken; and there was no reason to dread any danger from France, which still continued to court her friendship. She aimed, accordingly, at something very different from that which she had in view three years before. Then she discovered a laudable solicitude, not only for the safety of Mary's life, but for securing to her treatment suited to her rank. Now she required, as an express condition, that immediately after Mary's arrival in Scotland, she should be brought to public trial; and, having no doubt that sentence would be passed according to her deserts, she insisted that, for the good of both kingdoms, it should be executed without delay.<sup>r</sup> No transaction, perhaps, in Elizabeth's reign, merits more severe censure. Eager to cut short the days of a rival, the object of her hatred and dread, and no less anxious to avoid the blame to which such a deed of violence might expose her, she laboured, with timid and ungenerous artifice, to transfer the odium of it from herself to Mary's own subjects. The earl of Mar, happily for the honour of his country, had more virtue than to listen to such an ignominious proposal; and Elizabeth did not venture to renew it.

The regent endeavours to unite both parties. While she engaged in pursuing this insidious measure, the regent was more honourably employed in endeavouring to negotiate a general peace among his countrymen. As he laboured for this purpose with the utmost zeal, and the adverse faction placed entire confidence in his integrity, his endeavours could hardly have failed of being successful. Mait-

land and Kirkaldy came so near to an agreement with him, that scarce any thing remained, except the formality of signing the treaty. But Morton had not forgotten the disappointment he met with in his pretensions to the regency; his abilities, his wealth, and the patronage of the court of England, gave him greater sway with the party, than even the regent himself; and he took pleasure in thwarting every measure pursued by him. He was afraid that, if Maitland and his associates recovered any share in the administration, his own influence would be considerably diminished; and the regent, by their means, would acquire that ascendant which belonged to his station. With him concurred all those who were in possession of the lands which belonged to any of the queen's party. His ambition, and their avarice, frustrated the regent's pious intentions, and retarded a blessing so necessary to the kingdom, as the establishment of peace.<sup>s</sup>

His death. Such a discovery of the selfishness and ambition which reigned among his party, made a deep impression on the regent, who loved his country, and wished for peace with much ardour. This inward grief broke his spirit, and by degrees brought on a settled melancholy, that ended in a distemper, of which he died on the 29th of October. He was, perhaps, the only person in the kingdom who could have enjoyed the office of regent without envy, and have left it without loss of reputation. Notwithstanding their mutual animosities, both factions acknowledged his views to be honourable, and his integrity to be uncorrupted.<sup>t</sup>

Morton chosen regent. Nov. 24. No competitor now appeared against Morton. The queen of England powerfully supported his claim, and notwithstanding the fears of the people, and the jealousy of the nobles, he was elected regent; the fourth who, in the space of five years, had held that dangerous office.

As the truce had been prolonged to the 1st of January, this gave him an opportunity of continuing the negotiations

<sup>s</sup> Melv. 233. Crawf. Mem. 237.

<sup>t</sup> Crawf. Mem. 241.



with the opposite party, which had been set on foot by his predecessor. They produced no effects, however, till the beginning of the next year.

Before we proceed to these, some events, hitherto untouched, deserve our notice.

The earl of Northumberland, who had been kept prisoner in Lochlevin ever since his flight into Scotland, in the year 1569, was given up to lord Hunsdon, governor of Berwick; and being carried to York, suffered there the punishment of his rebellion. The king's party were so sensible of their dependance on Elizabeth's protection, that it was scarcely possible for them to refuse putting into her hands a person who had taken up arms against her; but, as a sum of money was paid on that account, and shared between Morton and Douglas of Lochlevin, the former of whom, during his exile in England, had been much indebted to Northumberland's friendship, the abandoning this unhappy nobleman, in such a manner, to certain destruction, was universally condemned as a most ungrateful and mercenary action."

Affairs of the church. This year was remarkable for a considerable innovation in the government of the church. Soon after the Reformation, the Popish bishops had been confirmed by law in possession of part of their benefices; but the spiritual jurisdiction, which belonged to their order, was exercised by superintendants, though with more moderate authority. On the death of the archbishop of St. Andrew's, Morton obtained from the crown a grant of the temporalities of that see. But as it was thought indecent for a layman to hold a benefice to which the cure of souls was annexed, he procured Douglas, rector of the university of St. Andrew's, to be chosen archbishop; and, allotting him a small pension, out of the revenues of the see, retained the remainder in his own hands. The nobles who saw the advantages which they might reap from such a practice, supported him in the execution of his plan. It gave great offence, however, to the clergy, who, instead of

perpetuating an order whose name and power were odious to them, wished that the revenues which had belonged to it might be employed in such parishes as were still unprovided with settled pastors. But, on the one hand, it would have been rash in the clergy to have irritated too much noblemen, on whom the very existence of the Protestant church in Scotland depended; and Morton, on the other, conducted his scheme with such dexterity, and managed them with so much art, that it was at last agreed, in a convention composed of the leading men among the clergy, together with a committee of privy-council, "That the name and office of archbishop and bishop should be continued during the king's minority, and these dignities be conferred upon the best qualified among the Protestant ministers; but that, with regard to their spiritual jurisdictions, they should be subject to the general assembly of the church." The rules to be observed in their election, and the persons who were to supply the place, and enjoy the privileges which belonged to the dean and chapter in times of Popery, were likewise particularly specified.\* The whole being laid before the general assembly, after some exceptions to the name of *Archbishop, Dean, Chapter, &c.*, and a protestation that it should be considered only as a temporary constitution, until one more perfect could be introduced, it obtained the approbation of that court.<sup>y</sup> Even Knox, who was prevented from attending the assembly by the ill state of his health, though he declaimed loudly against the simoniacal paction to which Douglas owed his preferment, and blamed the nomination of a person worn out with age and infirmities, to an office which required unimpaired vigour both of body and mind, seems not to have condemned the proceedings of the convention; and, in a letter to the assembly, approved of some of the regulations with respect to the election of bishops, as worthy of being carefully observed.<sup>z</sup> In consequence of

\* Cald. ii. 305.

<sup>y</sup> Id. 354.

<sup>z</sup> *Articles sent by Knox to the General Assembly, August 5th, 1572.*

Calderw. MS. His- First, desiring a new act to be made, ratifying all things concerning the King and his obedience that were enacted of before without any change,

the assembly's consent to the plan agreed upon in the convention, Douglas was installed in his office, and at the same time an archbishop of Glasgow and a bishop of Dunkeld were chosen from among the Protestant clergy. They were all admitted to the place in parliament which belonged to the ecclesiastical order. But in imitation of the example set by Morton, such bargains were made with them by different noblemen, as gave them possession only of a very small part of the revenues which belonged to their sees.<sup>a</sup>

Nov. 27. Soon after the dissolution of this assembly, Knox,  
 Death and character of Knox. the prime instrument of spreading and establishing the reformed religion in Scotland, ended his life, in

and that the ministers who have contravened the former acts be corrected  
 tory, vol. 2. as accordeth.  
 356.

That sute be made to the Regent's grace and nobility maintaining the King's cause, that whatsoever proceedeth in this treaty of peace, they be mindful the kirk be not prejudg'd thereby, in any sort, and they especially of the ministers that have been robbed of their possessions within the kirk during the time of the troubles, or otherwise dung and injured, may be restored.

To sute at the Regent, that no gift of any bishoprick or other benefice be given to any person, contrary to the tenor of the acts made in the time of the first Regent of good memory; and they that are given contrar the said acts, or to any unqualified person, may be revoked and made null be an act of secret council; and that all bishopricks so vacand may be presented, and qualified persons nominat thereunto, within a year after the vaking thereof, according to the order taken in Leith be the commissioners of the nobility and of the kirk in the month of January last, and in special to complain upon the giving of bishoprick of Ross to the Lord Methven.

That no pensions of benefices, great or small, be given be simple donation of any Lord Regent, without consent of the possessor of the said benefices, having tittle thereto, and the admission of the superintendent or commissioners of the province where this benefice lyeth, or of the bishops lawfully elected according to the said order taken at Leith; and desire an act of council to be made thereupon, until the next Parliament, wherein the samme may be specially enacted, with inhibition to the lords of session to give any letters, or decreets, upon such simple gifts of benefices or pensionns ot being given in manner above rehearsed, and that the kirk presently assembled declare all such gifts null, so far as lyeth in their power.

That the first form of presentation to benefices, which were in the first and second Regent's time, be not chang'd as now it is commonly; but that this clause be contained in the presentation, that if the persons presented make not residence, or be slanderous, or found unworthy either in life or doctrine be the judgment of the kirk (to which alwise he shall be subject), or meet to be transported to another room at the sight of the kirk, the said presentation, and all that shall fall thereupon, shall be null and of no force nor effect; and this to have place also in the nomination of the bishops.

That an act be made in this assembly, that all things done in prejudice of the kirk's assumption of the third, either by papists or others, by giving of fews, life-rents, or taks, or any otherwise dispoing the said assumed thirds, be declared null, with a solemn protestation, the whole kirk dissasenteth thereto.

That an act be made decerning and ordaining all bishops, admitted to the order of the kirk now received, to give account of their whole rents, and intromissions therewith, once in the year, as the kirk shall appoint, for such causes as the kirk may easily consider the same to be most expedient and necessar.

Anent the jurisdiction of the kirk, that the same be determined in this assembly, because this article hath long been postponed, to make sute to the Regent and council for remedy against messengers and excommunicate persons.

Last, That orders be taken anent the procurers of the kirk, who procure against ministers and ministry, and for sutting of justice of the kirk's actions in the session.

<sup>a</sup> Spotswood, 261.

the sixty-seventh year of his age. Zeal, intrepidity, disinterestedness, were virtues which he possessed in an eminent degree. He was acquainted too with the learning cultivated among divines in that age; and excelled in that species of eloquence which is calculated to rouse and to inflame.<sup>b</sup> His maxims, however, were often too severe, and the impetuosity of his temper excessive. Rigid and uncomplying himself, he shewed no indulgence to the infirmities of others. Regardless of the distinctions of rank and character, he uttered his admonitions with an acrimony and vehemence, more apt to irritate than to reclaim. This often betrayed him into indecent and undutiful expressions with respect to the queen's person and conduct. Those very qualities, however, which now render his character less amiable, fitted him to be the instrument of Providence for advancing the Reformation among a fierce people, and enabling him to face dangers, and to surmount opposition, from which a person of a more gentle spirit would have been apt to shrink back. By an unwearied application to study and to business, as well as by the frequency and fervour of his public discourses, he had worn out a constitution naturally robust. During a lingering illness he discovered the utmost fortitude; and met the approaches of death with a magnanimity inseparable from his character. He was constantly employed in acts of devotion, and comforted himself with those prospects of immortality which not only preserve good men from desponding, but fill them with ex-

<sup>b</sup> A striking description of that species of eloquence for which Knox was distinguished, is given by one of his contemporaries, Mr. James Melville, minister of Anstruther. "But of all the benefits I had that year [1571], was the coming of that most notable prophet and apostle of our nation, Mr. John Knox, to St. Andrew's, who, by the faction of the queen occupying the castle and town of Edinburgh, was compelled to remove therefra with a number of the best, and chused to come to St. Andrew's. I heard him teach there the prophecies of Daniel that summer and the winter following. I had my pen and little buike, and took away sic things as I could comprehend. In the opening of his text, he made me so to *grue* [thrill] and tremble, that I could not hald the pen to write.—He was very weak. I saw him every day of his doctrine go *hulie* [slowly] and fair, with a furring of marticks about his neck, a staff in one hand, and good godlie Richart Ballenden holding him up by the *oxter* [under the arm], from the abbey to the parish kirk; and he the said Richart and another servant lifted him up to the pulpit, where he behoved to lean at his first entrie; but ere he was done with his sermon, he was so active and vigorous, that he was like to *ding the pulpit in blads* [beat the pulpit to pieces], and fly out of it." MS. Life of Mr. James Melville, communicated to me by Mr. Paton of the Custom-house, Edinburgh, p. 14. 21.

ultation in their last moments. The earl of Morton, who was present at his funeral, pronounced his eulogium in a few words, the more honourable for Knox, as they came from one whom he had often censured with peculiar severity: "There lies He, who never feared the face of man."<sup>b</sup>

1573. Though Morton did not desire peace from such generous motives as the former regent, he laboured, however, in good earnest, to establish it. The public confusions and calamities, to which he owed his power and importance when he was only the second person in the nation, were extremely detrimental to him now that he was raised to be the first. While so many of the nobles continued in arms against him, his authority as regent was partial, feeble, and precarious. Elizabeth was no less desirous of extinguishing the flame which she had kindled and kept so long alive in Scotland.<sup>c</sup> She had discovered the alliance with France, from which she had expected such advantages, to be no foundation of security. Though appearances of friendship still subsisted between her and that court, and Charles daily renewed his protestations of inviolable adherence to the treaty, she was convinced, by a fatal example, how little she ought to rely on the promises or oaths of that perfidious monarch. Her ambassador warned her that the French held secret correspondence with Mary's adherents in Scotland, and encouraged them in their obstinacy.<sup>d</sup> The duke of Alva carried on his intrigues in that kingdom with less disguise. She was persuaded that they would embrace the first serene interval, which the commotions in France and in the Netherlands would allow them, and openly attempt to land a body of men in Scotland. She resolved, therefore, to prevent their getting any footing in the island, and to cut off all their hopes of finding any assistance there, by uniting the two parties.

His over- The situation of Mary's adherents enabled the re-  
tures re-

<sup>b</sup> Spotsw. 266. Cald. ii. 273.

<sup>c</sup> Digges, 299.

<sup>d</sup> Digges, 296. 312.

jected by Maitland and Kirkaldy. gent to carry on his negotiations with them to great advantage. They were now divided into two factions. At the head of the one were Chatelherault and Huntly. Maitland and Kirkaldy were the leaders of the other. Their high rank, their extensive property, and the numbers of their followers, rendered the former considerable. The latter were indebted for their importance to their personal abilities, and to the strength of the castle of Edinburgh, which was in their possession. The regent had no intention to comprehend both in the same treaty; but as he dreaded that the queen's party, if it remained entire, would be able to thwart and embarrass his administration, he resolved to divide and weaken it, by a separate negotiation. He made the first overture to Kirkaldy and his associates, and endeavoured to renew the negotiation with them, which, during the life of his predecessor, had been broken off by his own artifices. But Kirkaldy knew Morton's views, and system of government, to be very different from those of the former regent. Maitland considered him as a personal and implacable enemy. They received repeated assurances of protection from France; and though the siege of Rochelle employed the French arms at that time, the same hopes, which had so often deceived the party, still amused them, and they expected that the obstinacy of the Hugonots would soon be subdued, and that Charles would then be at liberty to act with vigour in Scotland. Meanwhile a supply of money was sent, and if the castle could be held out till Whit-sunday, effectual aid was promised.\* Maitland's genius delighted in forming schemes that were dangerous; and Kirkaldy possessed the intrepidity necessary for putting them in execution. The castle, they knew, was so situated, that it might defy all the regent's power. Elizabeth, they hoped, would not violate the treaty with France, by sending forces to his assistance; and if the French should be able to land any considerable body of men, it might be possible to deliver the

\* Digges, 314.

queen from captivity, or, at least, to balance the influence of France and England, in such a manner, as to rescue Scotland from the dishonourable dependance upon the latter, under which it had fallen. This splendid but chimerical project they preferred to the friendship of Morton. They encouraged the negotiation, however, because it served to gain time; they proposed, for the same purpose, that the whole of the queen's party should be comprehended in it, and that Kirkaldy should retain the command of the castle six months after the treaty was signed. His interest prompted the regent to reject the former; his penetration discovered the danger of complying with the latter; and all hopes of accommodation vanished.<sup>f</sup>

As soon as the truce expired, Kirkaldy began to fire on the city of Edinburgh, which by the return of the inhabitants whom he had expelled, was devoted as zealously as ever to the king's cause. But, as the regent had now set on foot a treaty with Chatelherault and Huntly, the cessation of arms still continued with them.

Accepted by Chatelherault and Huntly. They were less scrupulous than the other party, and listened eagerly to his overtures. The duke was naturally unsteady, and the approach of old age increased his irresolution, and aversion to action. The miseries of civil discord had afflicted Scotland almost five years, a length of time far beyond the duration of any former contest. The war, instead of doing service, had been detrimental to the queen; and more ruinous than any foreign invasion to the kingdom. In prosecuting it, neither party had gained much honour; both had suffered great losses, and had exhausted their own estates in wasting those of their adversaries. The commons were in the utmost misery, and longed ardently for a peace, which might terminate this fruitless but destructive quarrel.

Articles of the treaty. Feb. 23. A great step was taken towards this desirable event, by the treaty concluded at Perth, between the regent on one hand, and Chatelherault and Huntly on the other, under the mediation of Killebrew, Elizabeth's

<sup>f</sup> Melv. 235, &c.

ambassador.<sup>s</sup> The chief articles in it were these: that all the parties comprehended in the treaty should declare their approbation of the reformed religion now established in the

*s Declaration of Henry Killigrew, Esq. upon the peace concluded the 23d Feb. 1572.*

Be it known to all men, by these presents, that I, Henry Killigrew, Esq. ambassador for the Queen's Majesty of England, Forasmuch as, at the earnest motion and solicitation being made to me, on her Highness's behalf, there is accord and pacification of the public troubles and civil war within this realm of Scotland agreed and concluded, and the same favourably extended towards the Right Honourable George Earl of Huntly, Lord Gordon and Baidzenoch, and the Lord John Hamilton, son to the Duke's Grace of Chastellaraunt, and commendatour of the abbey of Abirbrothock, for the surety of the lives, livings, honours, and goods of them, their kinfolks, friends, servants, and partakers, now properly depending on them; in treating of the which said pacification, the murders of the late Earl of Murray, uncle, and the Earl of Levenax, grandfather, late Regent to the King's Majesty of Scotland his realm and lieges, as also an article touching the discharge for the fructis or moveable goods which the said persons have taken fra personis professing the King's obedience, before the damages done or committed by them, since the 15th day of Junij 1567, and before the penult day of July last by passed, by reason of the common cause or any thing depending thereupon, being thought by the King's commissaries matteris of such wecht and importance, as the King's present Regent could not conveniently of himself remit or discharge the same; yet in respect of the necessity of the present pacification, and for the weil of the King, and common quietness of this realm and lieges, it is accorded, that the matters of remission of the said murderers, and of the discharge of the said fructis, moveable goods, and other damages, be moved by the persons desiring the said remissions and discharge to the Queen's Majesty my sovereign, as to the Princess nearest both in blood and habitation to the King of Scots. And whatsoever her Majesty shall advise and counsel touching the said remission and discharge, the said Lord Regent, for the weil of the King and universal quietness of the realm of Scotland, shall perform, observe, and fulfil the same. And in likewise, the said Earl Huntly and Commandatour of Abirbrothock, being urged to have delivered pledges and hostages for observation of the conditions of the said accord and pacification, hath required me in place thereof, in her Majesty's name, by virtue of my commission, to promise for them, that they shall truly and faithfully observe and keep the said pacification, and all articles and conditions thereof, for their parts, and that it would please her Majesty to interpose herself, as surety and cautioner for them to that effect, to the King's Majesty of Scotland, their sovereign, and his said Regent, which I have done and promise to do, by virtue of her Majesty's commission, as by the honourable and plain dealing of the said Earl and Lord, their intention to peace well appears, the same being most agreeable to the mind of the Queen's Majesty my sovereign, which so long by her ministers hath travelled for the said pacification, and in the end, at her motion and solicitation, the same is accorded, knowing her Majesty's godly desire, that the same may continue unviolate, and that the noblemen and others now returning to the King's obedience shall have sufficient surety for their lives, livings, honours, and goods. Therefore, in her Majesty's name, and by virtue of my commission, I promise to the aforesaid Earl Huntly and Commandatour of Abirbrothock, that by her Majesty's good means, the said remission and discharge shall be purchased and obtained to them, their kinfolks, friends, servants, and partakers, now properly depending upon them (the persons specified in the first abstinence always excepted); as also, that the said pacification shall be truly observed to them, and that her Majesty shall interpose herself as conservatrix thereof, and endeavour herself to cause the same to be truly and sincerely kept in all points and articles thereof accordingly. In witness whereof I have to this present subscribed with my hand, and sealed the same with mine own seal, the 13th day of Feb. Anno Domini 1572. And this be performed by me, betwixt the date hereof, and the Parliament which shall be appointed for their restitution, or at the furthest before the end of the said Parliament. Sic subscriptur.

*The Bishop of Glasgow's Note concerning the Queen of Scotland's dowry.*

1576. The Queen of Scotland, Dowager of France, had for her dowry, besides  
Cott. lib. other possessions, the dukedom of Turenne, which was solemnly contracted  
Calig. B.4. and given to her by the King and estates of Parliament; which dukedom  
she possessed peacefully till 1576, and then, upon the pacification betwixt



kingdom; that they should submit to the king's government, and own Morton's authority as regent; that they should acknowledge every thing done in opposition to the king, since his coronation, to be illegal; that on both sides the prisoners who had been taken should be set at liberty, and the estates which had been forfeited should be restored to their proper owners; that the act of attainder passed against the queen's adherents should be repealed, and indemnity granted for all the crimes of which they had been guilty since the 15th of June 1567; and that the treaty should be ratified by the common consent of both parties in parliament.<sup>b</sup>

Siege of  
the castle  
of Edin-  
burgh.

Kirkaldy, though abandoned by his associates, who neither discovered solicitude nor made provision for his safety, did not lose courage, nor entertain any thoughts of accommodation.<sup>i</sup> Though all Scotland had now submitted to the king, he still resolved to defend

the King and Mons. his brother, to augment whose appenage this dutchy was given, to which the Queen of Scotland yielded upon account of princes who were her near relations, provided the equivalent which was promised her should be faithfully performed. So that year, after a great many solicitations, in lieu of that dutchy, she had granted her the county of Vermaudaise, with the lands and bailiwicks of Seuley and Vetrey; tho' 'tis known that county and the other lands were not of equal value with Turenne, but was promised to have an addition of lands in the neighbourhood to an equal value. Upon this letters patent were granted, which were confirmed in the courts of parliament, chamber of accompts, court of aids, chamber of the treasury, and others necessary; upon which she entered into possession of that country, &c. Afterward, by a valuation of the commissioners of the chamber of accompts, it was found that the revenue of that county, &c. did not amount to those of Turenne by 3000 livres. But instead of making up this deficiency according to justice, some of the privy-council, viz. M. de Cheverny, the presidents of Bellievre, Nicocholay, and St. Bonet, in the name of the King, notwithstanding of her aforesaid losses, did sell and alienate the lands of Senlis, and the dutchy of Estaimpes, to Madam de Montpensier, from whom the King received money; of which sale the counsellors aforesaid obliged themselves to be guarantees, which hath hindered the aforesaid Queen to have justice done her. So that Madam de Montpensier hath been put in possession of these lands of Senlis, contrary to all the declaration, protestation, and assurances of the King of France to Queen Mary's ambassadors. So that the Queen of Scotland is dispossessed of her dowry, contrary to all equity, without any regard to her quality.

<sup>b</sup> Crawford. Mem. 251.

<sup>i</sup> Melvil, whose brother, Sir Robert, was one of those who joined with Kirkaldy in the defence of the castle, and who was himself strongly attached to their party, asserts that Kirkaldy offered to accept of any reasonable terms of composition, but that all his offers were rejected by the regent. Melv. 240. But, as Elizabeth was, at that time, extremely desirous of restoring peace in Scotland, and her ambassador Killegrew, as well as the earl of Rothes, used their utmost endeavours to persuade Kirkaldy to accede to the treaty of Perth, it seems more credible to impute the continuance of hostilities to Kirkaldy's obstinacy, his distrust of Morton, or his hope of foreign aid, than to any other cause.

That this was really the case, is evident from the positive testimony of Spotsw. 269, 270. Camd. 448. Johnst. Hist. 3, 4. Digges, 334. Crawford's account agrees, in the main, with theirs, Mem. 263.

the castle in the queen's name, and to wait the arrival of the promised succours. The regent was in want of every thing necessary for carrying on a siege. But Elizabeth, who, determined at any rate to bring the dissensions in Scotland to a period before the French could find leisure to take part in the quarrel, soon afforded him sufficient supplies. Sir William Drury marched into Scotland with fifteen hundred foot, and a considerable train of artillery. The regent joined him with all his forces; and trenches were opened and approaches regularly carried on against

the castle. Kirkaldy, though discouraged by the  
 April 25. loss of a great sum of money remitted to him from France, and which fell into the regent's hands through the treachery of Sir James Balfour, the most corrupt man of that age, defended himself with bravery augmented by despair. Three-and-thirty days he resisted all the efforts of the Scotch and English, who pushed on their attacks with courage, and with emulation. Nor did he demand a parley, till the fortifications were battered down, and one of the wells in the castle dried up, and the other choked with rubbish. Even then, his spirit was unsubdued, and he determined rather to fall gloriously behind the last intrenchment, than to yield to his inveterate enemies. But his garrison, was not animated with the same heroic or desperate resolution, and rising in a mutiny, forced him to capitulate.

He surrendered himself to Drury, who promised,  
 May 29. in the name of his mistress, that he should be favourably treated. Together with him, James Kirkaldy his brother, lord Home, Maitland, Sir Robert Melvil, a few citizens of Edinburgh, and about one hundred and sixty soldiers, were made prisoners.<sup>k</sup>

Several of the officers, who had been kept in pay during the war, prevailed on their men to accompany them into the Low-Countries, and entering into the service of the States, added, by their gallant behaviour, to the reputation for military virtue which has always been the characteristic of the Scottish nation.

<sup>k</sup> Cald. ii. 408. Melv. 240. Crawford Mem. 265.

Review of  
the charac-  
ter of both  
parties.

Thus by the treaty with Chatelherault and Huntly, and the surrender of the castle, the civil wars in Scotland were brought to a period. When we review the state of the nation, and compare the strength of the two factions, Mary's partisans among the nobles appear, manifestly, to have been superior both in numbers and in power. But these advantages were more than counterbalanced by others, which their antagonists enjoyed. Political abilities, military skill, and all the talents which times of action form, or call forth, appeared chiefly on the king's side. Nor could their enemies boast of any man, who equalled the intrepidity of Murray, tempered with wisdom; the profound sagacity of Morton; the subtle genius, and insinuating address, of Maitland; or the successful valour of Kirkaldy; all of which were, at first, employed in laying the foundations of the king's authority. On the one side, measures were concerted with prudence, and executed with vigour; on the other, their resolutions were rash, and their conduct feeble. The people, animated with zeal for religion, and prompted by indignation against the queen, warmly supported the king's cause. The clergy threw the whole weight of their popularity into the same scale. By means of these, as well as by the powerful interposition of England, the king's government was finally established. Mary lost even that shadow of sovereignty, which, amidst all her sufferings, she had hitherto retained among part of her own subjects. As she was no longer permitted to have an ambassador at the court of England, the only mark of dignity which she had, for some time enjoyed there, she must henceforth be considered as an exile stripped of all the ensigns of royalty; guarded with anxiety in the one kingdom, and totally deserted or forgotten in the other.

Kirkaldy  
put to  
death.

Kirkaldy and his associates remained in Drury's custody, and were treated by him with great humanity, until the queen of England, whose prisoners they were, should determine their fate. Morton insisted that they should suffer the punishment due to their rebellion and obstinacy; and declared that, so long as they were

allowed to live, he did not reckon his own person or authority secure ; and Elizabeth, without regarding Drury's honour, or his promises in her name, gave them up to the regent's disposal. He first confined them to separate pri-

sons; and soon after, with Elizabeth's consent, condemned Kirkaldy, and his brother, to be hanged at the cross of Edinburgh. Maitland, who did not expect to be treated more favourably, prevented the ignominy of a public execution by a voluntary death, and "ended his days," says Melvil, "after the old Roman fashion."<sup>1</sup>

While the regent was wreaking his vengeance on the remains of her party in Scotland, Mary, incapable of affording them any relief, bewailed their misfortunes in the solitude of her prison. At the same time her health began to be much impaired by confinement and want of exercise. At the entreaty of the French ambassador, lord Shrewsbury, her keeper, was permitted to conduct her to Buxton-wells, not far from Tuthbury, the place of her imprisonment. Cecil, who had lately been created baron of Burghley, and lord high treasurer of England, happened to be there at the same time. Though no minister ever entered more warmly into the views of a sovereign, or gave stronger proofs of his fidelity and attachment, than this great man, yet such was Elizabeth's distrust of every person who approached the queen of Scots, that her suspicions, in consequence of this interview, seem to have extended even to him; and while Mary justly reckoned him her most dangerous enemy, he found some difficulty in persuading his own mistress that he was not partial to that unhappy queen.<sup>m</sup>

The duke of Alva was this year recalled from the government of the Netherlands, where his haughty and oppressive administration roused a spirit, in attempting to subdue which, Spain exhausted its treasures, ruined its armies, and lost its glory. Requesens, who succeeded him, was of a milder temper, and of a less enterprising genius. This event delivered Elizabeth from the perpetual disquietude

<sup>1</sup> Melv. 242.

<sup>m</sup> Strype, ii. 248. 288.

occasioned by Alva's negotiations with the Scottish queen, and his zeal for her interest.

1574. Though Scotland was now settled in profound  
The re-  
gent's ad-  
ministra-  
tion be-  
comes  
odious. peace, many of the evils which accompany civil war were still felt. The restraints of law, which in times of public confusion, are little regarded even by civilized nations, were totally despised by a fierce people, unaccustomed to a regular administration of justice. The disorders in every corner of the kingdom were become intolerable; and, under the protection of the one or the other faction, crimes of every kind were committed with impunity. The regent set himself to redress these, and by his industry and vigour, order and security were re-established in the kingdom. But he lost the reputation due to this important service, by the avarice which he discovered in performing it; and his own exactions became more pernicious to the nation than all the irregularities which he restrained.<sup>a</sup> Spies and informers were every

<sup>a</sup> *A Letter from the Lord of Lochleven to the Regent Mortoun.*

3d March,  
1577. E.  
of Mor-  
toun's Ar-  
chives.  
Bund. B.  
No. 19. It will please your Grace, I received your Grace's letter, and has considered the same. The parson of Camsey was here at me before the receipt thereof, directed fra my Lord of Mar and the master, anent my last written, which was the answer of the writing that the master sent to me, which I send to your Grace, desiring me to come to Stirling to confer with them. I had given my answer before the receipt of your Grace's letter, that I behuiffit to be besyd Sanct Androis, at ane friend's tryst, which I might not omit; I understand by my said cousin, that the King's Majesty is to write to divers of the nobility to come there, anent your Lordship's trial, and that he had writtē before his departing to my Lord Monthrois. I understand likewise, he will write to your Grace to come there for the same effect, which I tho't good to make your Grace foreseen of the same, praying your Grace, for the love of God Almighty, to look upon the best, and not to sleep in security, but to turn you with unfeigned heart to God, and to consider with yourself, that when the King's Majesty was very young, God made him the instrument to divest his mother from her authority, who was natural Princess, for offending of his Divine Majesty, and that there ran no vice in her, but that the same is as largely in you, except that your Grace condescended not to the destruction of your wife. For as to harlotry and ambition, I think your Grace has as far offended God, and far more in avaritiousness; which vycis God never left un-plagued, except speedy repentance, which I pray God grant to your Grace, for otherwise your Grace can never have the love of God nor man. I pray your Grace flatter not yourself; for if your Grace believes that ye have the good-will of them that are the King's good-willers, ye deceive yourself; for surely I see perfectly that your own particulars are not contented, lat be the rest, and that more principally for your hard dealing. I pray your Grace, beir with me that I am thus hamlie, for certainly it proceeds from no grudge, but from the very affection of my heart towards your Grace, which has continued since we were acquainted. And now I see, because the matter stands in your Grace's handling with the King's Majesty, for certainly if your Grace fall forth with him now, I see not how ye shall meet hereafter; pray I your Grace to call to God, and look on the best, and cast from your Grace both your vices, to wit, ambition and avaritiousness. I am riding this day to Sanct Androis, and trust to return on Wednesday at the farthest. If your Grace will command me in any offices that are

where employed; the remembrance of old offences was revived; imaginary crimes were invented; petty trespasses were aggravated; and delinquents were forced to compound for their lives by the payment of exorbitant fines. At the same time the current coin was debased;\* licences were sold for carrying on prohibited branches of commerce; unusual taxes were imposed on commodities; and all the refinements in oppression, from which nations so imperfectly polished as the Scots are usually exempted, were put in practice. None of these were complained of more loudly, or with greater reason, than his injustice towards the church. The thirds of benefices, out of which the

honest, that I may do your Grace pleasure in at Stirling, advertise of your Grace's mind, and shall do to my power and knowledge, and this with my heartlie, &c. &c.

*To our Trusty Cousin the Lord Lochlevin.*

From the  
original.  
E. of Mor-  
ton's Ar-  
chives.  
Bund. B.  
No. 31.

Trusty Cousin, after our most hearty commendations, we received your letter of the 3d of March, and as we take your plainness therein in good part, as proceeding from a friend and kinsman, in whose good affection towards us we never doubted, so ye may not think it strange that we purge ourselves so far of your accusation, as in conscience we find not ourselves to have offended in. As touching our offence to God, we intend not to excuse it, but submit us to his mercy; for ambition surely we think none can justly accuse us; for in our private estate, we could, and can live as well contented, as any of our degree in Scotland, without further aspiring. The bearing too the charge of the government of the realm, indeed, mon lead us, or any other that shall occupy that place, nor simply to respect ourself, but his Majesty's rowme, which we supply, and therein not transcending the bounds of measure, as we trust it shall not be found we have done, it ought not to be attributed to any ambition in us. For as soon as ever his Majesty shall think himself ready and able for his own government, none shall more willingly agree and advance the same nor I, since I think never to set my face against him whose honour, safety, and preservation has been so dear unto me, nor I will never believe to find otherwise at his hand than favour, although all the unfriends I have in the earth were about him, to persuade him to the contrary. As we write unto you, our friendly dealing and confidence in the house of Mar is not thankfully acquit, as we trust yourself considers; but because the ambassadors of England, my Lord of Angus, the chancellor, treasurer, and some noblemen rides west this day to see the King, we pray you heartily address yourself to be there as soon as ye can, and as ye shall find the likelihood of all things, let us be advertized thereof with your own advice, by Alex<sup>r</sup>. Hay, whom we have thought good to send west, seeing my Lord of Angus from Stirling rides to Douglas. And so we commit you in the protection of God. At Holyrood-house, the 4th of March, 1577.

For the avaritiousness laid to our charge, indeed it lies not in us so liberally to deal the King's geare, as to satisfy all cravers, nor never shall any sovereign and native-born Prince, let be any officer, eschew the disdains of such as thinks them judges to their own reward; in many causes I doubt not to find the assistance of my friends; but where my actions shall appear dishonest, I will not crave their assistance, but let me bear my own burthen.

\* The corruption of the coin, during Morton's administration, was very great. Although the quantity of current money coined out of a pound of bullion, was gradually increased by former princes, the standard of fineness suffered little alteration, and the mixture of alloy was nearly the same with what is now used. But Morton mixed a fourth part of alloy with every pound of silver, and sunk, by consequence, the value of coin in proportion. In the year 1581, all the money coined by him was called in, and appointed to be re-coined. The standard was restored to the same purity as formerly. Ruddim. Pref. to Anders. Diplom. p. 74.

clergy received their subsistence, had always been slowly and irregularly paid to collectors, appointed by the general assembly; and during the civil wars, no payment could be obtained in several parts of the kingdom. Under colour of redressing this grievance, and upon a promise of assigning every minister a stipend within his own parish, the regent extorted from the church the thirds to which they had right by law. But the clergy, instead of reaping any advantage from this alteration, found that payments became more irregular and dilatory than ever. One minister was commonly burdened with the care of four or five parishes, a pitiful salary was allotted him, and the regent's insatiable avarice seized on the rest of the fund.<sup>p</sup>

The death of Charles IX. which happened this year, was a new misfortune to the Scottish queen. Henry III., who succeeded him, had not the same attachment to her person; and his jealousy of the house of Guise, and obsequiousness to the queen-mother, greatly alienated him from her interest.

1575. The death of the duke of Chatelherault must like-  
Jan. 22. wise be considered as some loss to Mary. As the parliament had frequently declared him next heir to the crown, this entitled him to great respect among his countrymen, and enabled him, more than any other person in the kingdom, to counterbalance the regent's power.

Soon after, at one of the usual interviews between the wardens of the Scottish and English marches, a scuffle happened, in which the English were worsted; a few killed on the spot; and Sir James Forrester, the warden, with several gentlemen who attended him, taken prisoners. But both Elizabeth and the regent were too sensible of the advantage which resulted from the good understanding that subsisted between the two kingdoms, to allow this slight accident to interrupt it.

Attempts The domestic tranquillity of the kingdom was in  
of the some danger of being disturbed by another cause.  
clergy

against  
the epis-  
copal  
order.

Though the persons raised to the dignity of bishops possessed very small revenues, and a very moderate degree of power, the clergy, to whom the regent and all his measures were become extremely odious, began to be jealous of that order. Knowing that corruptions steal into the church gradually, under honourable names and upon decent pretences, they were afraid that, from such small beginnings, the hierarchy might grow in time to be as powerful and oppressive as ever. The chief author of these suspicions was Mr. Andrew Melvil, a man distinguished by his uncommon erudition, by the severity of his manners, and the intrepidity of his mind. But, bred up in the retirement of a college, he was unacquainted with the arts of life; and being more attentive to the ends which he pursued, than to the means which he employed for promoting them, he often defeated laudable designs by the impetuosity and imprudence with which he carried them on. A question was moved by him in the assembly, "Whether the office of bishop, as now exercised in the kingdom, were agreeable to the word of God?" In the ecclesiastical judicatories, continual complaints were made of the bishops for neglect of duty, many of which their known remissness too well justified. The bishop of Dunkeld, being accused of dilapidating his benefice, was found guilty by the assembly. The regent, instead of checking, connived at these disputes about ecclesiastical government, as they diverted the zeal of the clergy from attending to his daily encroachments on the patrimony of the church.<sup>q</sup>

1576. The weight of the regent's oppressive administration had, hitherto, fallen chiefly on those in the lower and middle rank; but he began now to take such steps as convinced the nobles, that their dignity would not long exempt them from feeling the effects of his power. An accident, which was a frequent cause of dissension among the Scottish nobles, occasioned a difference between the earls of Argyll and Athol. A vassal of the

He irritates  
some of  
the nobles.

<sup>q</sup> Cald. Assemblies, 1574, &c. Johnst. Hist. 15.



former had made some depredations on the lands of the latter. Athol took arms to punish the offender; Argyll to protect him: and this ignoble quarrel they were ready to decide in the field, when the regent, by interposing his authority, obliged them to disband their forces. Both of them had been guilty of irregularities, which, though common, were contrary to the letter of the law. Of these the regent took advantage, and resolved to found on them a charge of treason. This design was revealed to the two earls by one of Morton's retainers. The common danger to which they were exposed, compelled them to forget old quarrels, and to unite in a close confederacy for their mutual defence. Their junction rendered them formidable; they despised the summons which the regent gave them to appear before a court of justice; and he was obliged to desist from any farther prosecution. But the injury he intended made a deep impression on their minds, and drew upon him severe vengeance.<sup>r</sup>

Nor was he more successful in an attempt which he made, to load lord Claud Hamilton with the guilt of having formed a conspiracy against his life. Though those who were supposed to be his accomplices were seized and tortured, no evidence of any thing criminal appeared; but, on the contrary, many circumstances discovered his innocence, as well as the regent's secret views in imputing to him such an odious design.<sup>s</sup>

1577. They turn their eyes towards the king. The Scottish nobles, who were almost equal to their monarchs in power, and treated by them with much distinction, observed these arbitrary proceedings of a regent with the utmost indignation. The people, who, under a form of government extremely simple, had been little accustomed to the burden of taxes, complained loudly of the regent's rapacity. And all began to turn their eyes towards the young king, from whom they expected the redress of all their grievances, and the return of a more gentle and more equal administration.

<sup>r</sup> Crawf. Mem. 285.

<sup>s</sup> Ibid. 287

James's education and disposition. James was now in the twelfth year of his age. The queen, soon after his birth, had committed him to the care of the earl of Mar, and during the civil wars he had resided securely in the castle of Stirling. Alexander Erskine, that nobleman's brother, had the chief direction of his education. Under him, the famous Buchanan acted as preceptor, together with three other masters, the most eminent the nation afforded for skill in those sciences which were deemed necessary for a prince. As the young king shewed an uncommon passion for learning, and made great progress in it, the Scots fancied that they already discovered in him all those virtues which the fondness or credulity of subjects usually ascribes to princes during their minority. But, as James was still far from that age at which the law permitted him to assume the reins of government, the regent did not sufficiently attend to the sentiments of the people, nor reflect how naturally these prejudices in his favour might encourage the king to anticipate that period. He not only neglected to secure the friendship of those who were about the king's person, and who possessed his ear, but had even exasperated some of them by personal injuries. Their resentment concurred with the ambition of others, in infusing into the king early suspicions of Morton's power and designs. A king, they told him, had often reason to fear, seldom to love, a regent. Prompted by ambition, and by interest, he would endeavour to keep the prince in perpetual infancy, at a distance from his subjects, and unacquainted with business. A small degree of vigour, however, was sufficient to break the yoke. Subjects naturally reverence their sovereign, and become impatient of the temporary and delegated jurisdiction of a regent. Morton had governed with rigour unknown to the ancient monarchs of Scotland. The nation groaned under his oppressions, and would welcome the first prospect of a milder administration. At present the king's name was hardly mentioned in Scotland, his friends were without influence,

and his favourites without honour. But one effort would discover Morton's power to be as feeble as it was arbitrary. The same attempt would put himself in possession of his just authority, and rescue the nation from intolerable tyranny. If he did not regard his own rights as a king, let him listen, at least, to the cries of his people.<sup>†</sup>

A plot formed against the regent. These suggestions made a deep impression on the young king, who was trained up in an opinion that he was born to command. His approbation of the design, however, was of small consequence, without the concurrence of the nobles. The earls of Argyll and Athol, two of the most powerful of that body, were animated with implacable resentment against the regent. To them the cabal in Stirling-castle communicated the plot which was on foot; and they entering warmly into it, Alexander Erskine, who, since the death of his brother, and during the minority of his nephew, had the command of that fort, and the custody of the king's person, admitted them secretly into the king's presence. They give him the same account of the misery of his subjects, under the regent's arbitrary administration; they complained loudly of the injustice with which themselves had been treated, and besought the king, as the only means for redressing the grievances of the nation, to call a council of all the nobles. James consented, and letters were issued in his name for that purpose; but the two earls took care that they should be sent only to such as were known to bear no good-will to Morton.<sup>‡</sup>

The number of these was, however, so considerable, that on the day appointed, far the greater part of the nobles assembled at Stirling; and so highly were they incensed against Morton, that although, on receiving intelligence of <sup>1578.</sup> Argyll and Athol's interview with the king, he had <sup>March 24.</sup> made a feint as if he would resign the regency, they advised the king, without regarding this offer, to deprive him of his office, and to take the administration of government into his own hands. Lord Glamis the chancellor, and Herries, were appointed to signify this resolu-

<sup>†</sup> Melvil, 249.

<sup>‡</sup> Spotsw. 278.

tion to Morton, who was at that time in Dalkeith, his usual place of residence. Nothing could equal the joy with which this unexpected resolution filled the nation, but the surprise occasioned by the seeming alacrity with which the regent descended from so high a station. He neither wanted sagacity to foresee the danger of resigning, nor inclination to keep possession of an office, for the expiration of which the law had fixed so distant a term. But all the sources whence the faction of which he was head derived their strength, had either failed, or now supplied his adversaries with the means of humbling him. The commons, the city of Edinburgh, the clergy, were all totally alienated from him, by his multiplied oppressions. Elizabeth, having lately bound herself by a treaty, to send a considerable body of troops to the assistance of the inhabitants of the Netherlands, who were struggling for liberty, had little leisure to attend to the affairs of Scotland; and as she had nothing to dread from France, in whose councils the princes of Lorraine had not at that time much influence, she was not displeased, perhaps, at the birth of new factions in the kingdom. Even those nobles, who had long been joined with Morton in faction, or whom he had attached to his person by benefits, Glamis, Lindsay, Ruthven, Pitcairn the secretary, Murray of Tullibardin, comptroller, all deserted his falling fortunes, and appeared in the council at Stirling. So many concurring circumstances convinced Morton of his own weakness, and determined him to give way to a torrent, which was too impetuous to be resisted. He attended the chancellor and Herries to Edinburgh; was present when the king's acceptance of the government was proclaimed; and, in the presence of the people, surrendered to the king all the authority to which he had any claim in virtue of his office. This ceremony was accompanied with such excessive joy and acclamations of the multitude, as added, no doubt, to the anguish which an ambitious spirit must feel, when compelled to renounce supreme power; and convinced Morton how entirely he had lost the affections of his coun-

He resigns  
his office  
and retires.

March 12.

trymen. He obtained, however, from the king an act containing the approbation of every thing done by him in the exercise of his office, and a pardon, in the most ample form that his fear or caution could advise, of all past offences, crimes, and treasons. The nobles, who adhered to the king, bound themselves under a great penalty, to procure the ratification of this act in the first parliament.\*

Continues  
to watch  
the mo-  
tions of  
the adverse  
party.

A council of twelve peers was appointed to assist the king in the administration of affairs. Morton, deserted by his own party, and unable to struggle with the faction which governed absolutely at court, retired to one of his seats, and seemed to enjoy the tranquillity, and to be occupied only in the amusements, of a country life. His mind, however, was deeply disquieted with all the uneasy reflections which accompany disappointed ambition, and intent on schemes for recovering his former grandeur. Even in this retreat, which the people called the *Lion's Den*, his wealth and abilities rendered him formidable; and the new counsellors were so imprudent as to rouse him, by the precipitancy with which they hastened to strip him of all the remains of power. They required him to surrender the castle of Edinburgh, which was still in his possession. He refused at first to do so, and began to prepare for its defence; but the citizens of Edinburgh having taken arms, and repulsed part of the garrison, which was sent out to guard a convoy of provisions, he was obliged to give up that important fortress without resistance. This encouraged his adversaries to call a parliament to meet at Edinburgh, and to multiply their demands upon him, in such a manner, as convinced him that nothing less than his utter ruin would satisfy their inveterate hatred.

Their power and popularity, however, began already to decline. The chancellor, the ablest and most moderate man in the party, having been killed at Stirling, in an accidental rencounter between his followers and those of the earl of Crawford; Athol, who was appointed his successor in that high office, the earls of Eglinton, Caithness, and lord

\* Spotsw. 278. Crawf. Mem. 289. Cald. ii. 522.

Ogilvie, all the primefavourites at court, were either avowed Papists, or suspected of leaning to the opinions of that sect. In an age when the return of Popery was so much and so justly dreaded, this gave universal alarm. As Morton had always treated the Papists with rigour, this unseasonable favour to persons of that religion made all zealous protestants remember that circumstance in his administration with great praise.<sup>y</sup>

<sup>y</sup> Spotsw. 283.

END OF VOL. I.



